December 17. 1678.

I Do appoint *Robert Pawlet* to Print the TRYALS of *William Ireland*, *Thomas Pickering*, and *John Grove*: And that no other Person presume to Print the same.

WILLIAM SCROGGS.

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IHS

THE

TRYALS

OF

WILLIAM IRELAND,
THOMAS PICKERING,
And
JOHN GROVE;

FOR

Conſpiring to Murder

THE

KING:

Who upon Full Evidence were found Guilty of

HIGH TREASON,

At the Seſsions-Houſe in the *Old-Baily*, *December* the 17th 1678. And received SENTENCE accordingly.

LONDON,
Printed for *Robert Pawlet* at the *Bible* in *Chancery-Lane* near *Fleet-ſtreet*, 1678.

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THE TRYALS OF William Ireland, Thomas Pickering, And John Grove.

ON *Tuesday* the Seventeenth day of *December*, One Thousand Six Hundred Seventy and Eight, *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, and *John Grove* were brought from his Majesties Gaol of *Newgate*, to the Sessions-house at Justice-Hall in the *Old-Baily*, being there Indicted for High Treason, for contriving and conspiring to *Murder the King*, to receive their Tryal; and the Court proceeded thereupon as followeth.

The Court being Set, Proclamation was made for Attendance, Thus,

Clerk of Crown, Cryer make Proclamation.]

Cryer, O yes, O yes, O yes, All manner of Perſons that have any thing to do at this General Seſſions of the Peace, Seſſions of Oyer and Terminer holden for the City of *London*, and Gaol Delivery of *Newgate*, holden for the City of *London* and County of *Middleſex*, draw near and give your Attendance, for now the Court will proceed to the Pleas of the Crown for the ſame City and County. God Save the King.

Clerk of Crown, *Cryer* make Proclamation.

Cryer, O yes, All manner of Perſons are commanded to keep Silence upon pain of Impriſonment. Peace about the Court.

Clerk of Crown, *Cryer* make Proclamation.

Cryer, O yes, You Good Men of the County of *Middleſex* that are Summoned to appear here this Day, to Enquire between our Soveraign Lord the King, and the Priſoners that are and ſhall be at the Bar, Anſwer to your Names as you ſhall be called every one at the firſt Call and ſave your Iſſues.

The Jurors being called and the Defaulters recorded, the Clerk of the Crown called for the Priſoners to the Bar, *viz.* *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, and *John Grove*, and Arraigned them thus,

Clerk of Crown, *Thomas White* alias *Whitebread*, hold up thy hand. Which he did.

William Ireland, hold up thy hand. Which he did.

John Fenwick, hold up thy hand. Which he did.

Thomas Pickering, hold up thy hand. Which he did.

John Grove, hold up thy hand. Which he did.

You Stand Indicted by the Names of *Thomas White* alias *Whitebread*, late of the Pariſh of St. *Giles* in the fields in the County of *Middleſex*, Clerk: *William Ireland*, late of the ſame Pariſh and County, Clerk: *John Fenwick*, late of the ſame Pariſh and County, Clerk: *Thomas Pickering*, late of the ſame Pariſh and County, Clerk: and *John Grove* late of the ſame Pariſh and County, Gent. For that you Five as falſe Traitors, *&c.* againſt the Peace of our Soveraign Lord the King, his Crown and Dignity, and againſt the Form of the Statute in that Caſe made and provided. How ſaiſt thou *Thomas White* alias *Whitebread*, art thou Guilty of this High Treaſon whereof thou ſtandeſt Indicted or not Guilty?

Whitebread, Not Guilty.

Clerk of Crown, *Culprit* how wilt thou be Tryed?

Whitebread, By God and my Countrey.

Clerk

Clerk of Crown, God ſend thee a good deliverance. How ſayſt thou *William Ireland*, art thou Guilty of the ſame High Treaſon or not Guilty?

Ireland, Not Guilty.

Clerk of Crown, *Culprit* how wilt thou be Tryed?

Ireland, By God and my Countrey.

Clerk of Crown, God ſend thee a good Deliverance. How ſaiſt thou *John Fenwick*, art thou Guilty of the ſame High Treaſon or not Guilty?

Fenwick, Not Guilty.

Clerk of Crown, *Culprit* how wilt thou be Tryed?

Fenwick, By God and my Countrey.

Clerk of Crown, God ſend thee a good Deliverance. How ſaiſt thou *Thomas Pickering*, art thou Guilty of the ſame High Treaſon or not Guilty.

Pickering, Not Guilty.

Clerk of the Crown, *Culprit* how wilt thou be Tryed?

Pickering, By God and my Countrey.

Clerk of Crown, God ſend thee a good Deliverance. How ſaiſt thou *John Grove*, art thou Guilty of the ſame High Treaſon or not Guilty?

Grove, Not Guilty.

Clerk of Crown, *Culprit* how wilt thou be Tryed?

Grove, By God and my Countrey.

Clerk of Crown, God ſend thee a good Deliverance. You the Priſoners at the Bar, thoſe men that you ſhall hear called and do Perſonally appear, are to paſs between our Soveraign Lord the King and you, upon Tryal of your ſeveral Lives and Deaths, if therefore you or any of you will Challenge them or any of them, your time is to ſpeak unto them as they come to the Book to be Sworn, before they be Sworn. Sir *Philip Matthews* to the Book.

Sir *Philip Matthews*. I deſire Sir *William Roberts* may be called firſt. Which was granted.

Clerk of Crown, Sir *William Roberts* to the Book. Look upon the Priſoner, You ſhall well and truly Try and true Deliverance make between our Soveraign Lord the King, and the Priſoners at the Bar whom you ſhall have in your charge according to your Evidence. So help you God.

The ſame Oath was adminiſtred to the reſt, the Priſoners challenging none, and their Names in order were thus,

JURY.

JURY.

Sir *William Roberts*, Baronet.	*John Byfield*, Esquire.
Sir *Philip Matthews*, Bar.	*Thomas Egglesfield*, Esq;
Sir *Charles Lee*, Knight.	*Thomas Johnson*, Esq;
Edward Wilford, Esquire.	*John Pulford*, Esquire.
John Foster, Esquire.	*Thomas Earnesby*, Esq;
Joshua Galliard, Esquire.	*Richard Wheler*, Gent.

Clerk of Crown, *Cryer* count these. Sir *William Roberts*.

Cryer, One, &c.

Clerk of Crown, *Richard Wheeler*.

Cryer, Twelve, Good Men and True, stand together and hear your Evidence.

Clerk of Crown, *Cryer* make Proclamation.

Cryer, O yes, If any one can inform my Lords the Kings Justices, the Kings Serjeant, the Kings Attorney, or this Inquest now to be taken, between our Soveraign Lord the King and the Prisoners at the Bar, let them come forth and they shall be heard, for now the Prisoners stand at the Bar upon their Deliverance: and all others that are Bound by Recognizance to give Evidence against any of the Prisoners at the Bar, let them come forth and give their Evidence, or else they forfeit their Recognizance. And all Jury-men of *Middlesex* that have been Summoned and have appeared and are not Sworn, may depart the Court and take their ease.

Clerk of Crown, Make Proclamation of silence.

Cryer, O yes, All manner of Persons are commanded to keep silence upon pain of Imprisonment.

Clerk of Crown, *Thomas White* alias *Whitebread* hold up thy hand: Which he did, and so of the rest. You that are Sworn look upon the Prisoners and hearken to their Cause:

You ſhall underſtand, that they ſtand Indicted by the Names of *Thomas White*, otherwiſe *Whitebread*, late of the pariſh of Saint *Gyles in the Fields*, in the County of *Middleſex*, Clerk; *William Ireland*, late of the ſame pariſh in the County aforeſaid, Clerk; *John Fenwick*, late of the ſame pariſh in the County aforeſaid, Clerk; *Thomas Pickering*, late of the ſame pariſh in the County aforeſaid, Clerk; and *John Grove*, late of the ſame pariſh in the County aforeſaid, Gentleman: For that they as falſe Traytors of the moſt Illuſtrious, Serene, and moſt Excellent Prince, our ſovereign Lord *Charles* the II. by the Grace of God of *England*, *Scotland*, *France*, and *Ireland* King, Defender of the Faith, &c. their ſupreme and natural Lord, not having the Fear of God in their hearts, nor the duty of their Allegeance any ways weighing, but being moved and ſeduced by the inſtigation of the Devil, the cordial love, and true, due, and natural obedience, which true and faithful ſubjects of our ſaid ſovereign *Lord* the King, towards our ſaid ſovereign *Lord* the King, ſhould and of right ought to bear, altogether withdrawing, and endeavouring, and with their whole ſtrength intending, the peace and common tranquillity of this Kingdom of *England* to diſturb, and the true Worſhip of God within this Kingdom of *England* uſed, and by law eſtabliſhed to overthrow, and to move, ſtir up, and procure Rebellion within this Kingdom of *England*, and the cordial love, and true and due obedience, which true and faithful ſubjects of our ſaid ſovereign *Lord* the King, toward our ſaid ſovereign *Lord* the *King* ſhould & of right ought to bear, wholly to withdraw, vanquiſh, and extinguiſh, and our ſaid ſovereign *Lord* the King to death and final deſtruction to bring and put the four and twentieth day of *April*, in the year of the Reign of our ſaid ſovereign L. *Charles* the II. by the Grace

of God of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, &c. the thirtieth, at the pariſh of *S. Gyles in the Fields* aforeſaid, in the county of *Middleſex* aforeſaid, falſly, maliciouſly, deceitfully, adviſedly, and traitorouſly, they did propoſe, compaſs, imagine, and intend, to ſtir up, move, and procure Sedition and Rebellion within this Kingdom of *England*, and to procure and cauſe a miſerable ſlaughter among the ſubjects of our ſaid ſovereign Lord the King, and wholly to deprive, depoſe, throw down, and diſinherit our ſaid ſovereign Lord the King from his Royal State, Title, Power, and Government of this his Kingdom of *England*, and him our ſaid ſoveraign Lord the King to put to death, and utterly to deſtroy, and the Government of this Kingdom of *England*, and the ſincere Religion and Worſhip of God in the ſame Kingdom, rightly and by the laws of the ſame Kingdom eſtabliſhed, for their will and pleaſure to change and alter, and wholly to ſubvert and deſtroy the ſtate of the whole Kingdom, being in all parts thereof well inſtituted and ordered, and to levy War againſt our ſaid ſovereign Lord the King within this his Realm of *England*. And to fulfill and bring to paſs theſe their moſt wicked Treaſons and Traitorous deſigns and purpoſes aforeſaid, they the ſaid *Thomas White* otherwiſe *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, and *John Grove*, and other falſe Traitors unknown, the ſaid four and twentieth day of *April*, in the ſaid thirtieth year of the Reign of our ſaid Lord the King, with force and arms, &c. at the pariſh of S. *Gyles in the Fields* aforeſaid, in the county of *Middleſex* aforeſaid, falſly, maliciouſly, deceitfully, adviſedly, deviliſhly, and traitorouſly did aſſemble, unite, and gather themſelves together, and then and there falſly, maliciouſly, deceitfully, adviſedly,

de-

devilliſhly, and traitorouſly they did conſult and agree to put and bring our ſaid ſovereign *Lord* the *King* to death and final deſtruction, and to alter and change the Religion rightly and by the laws of the ſame *Kingdom* eſtabliſhed, to the ſuperſtition of the *Church of Rome*; and the ſooner to bring to paſs and accompliſh the ſame, their moſt wicked Treaſons and Traitorous imaginations and purpoſes aforeſaid, they the ſaid *Thomas White* otherwiſe *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, *John Grove*, and other falſe Traitors of our ſaid ſovereign *Lord* the *King* unknown, afterwards (to wit) the ſaid four and twentieth day of *April*, in the ſaid thirtieth year of the Reign of our ſaid ſovereign *Lord* the *King*, at the ſaid pariſh of S. *Gyles in the Fields*, in the county of *Middleſex* aforeſaid, falſly, deceitfully, adviſedly, maliciouſly, devilliſhly, and traitorouſly they did conſult and agree, that they the ſaid *Thomas Pickering* and *John Grove* ſhould kill and murther our ſaid ſovereign Lord the King: And that they the ſaid *Thomas White* otherwiſe *Whitebread*, *William Ireland*, *John Fenwick*, and other falſe Traitors unknown, ſhould therefore ſay, celebrate, and perform a certain number of Maſſes, (then and there agreed on among them) for the good of the ſoul of the ſaid *Thomas Pickering*, and ſhould therefore pay to the ſaid *John Grove* a certain ſumme of Money, (then and there alſo agreed on among them:) And further, that the ſaid *Tho. Pickering* and *John Grove* upon the agreement aforeſaid, then and there falſly, deceitfully, adviſedly, maliciouſly, devilliſhly, and traitorouſly did undertake, and to the ſaid *Thomas White* otherwiſe *Whitebread*, *William Ireland*, *John Fenwick*, and other falſe Traitors of our ſaid ſovereign Lord the King unknown, then and there falſly, deceitfully, adviſedly, maliciouſly, devilliſhly, and traitorouſly

ouſly they did then and there promiſe, that they the ſaid *Thomas Pickering* and *John Grove* our ſaid ſovereign Lord the *King* would kill and murther: And further, that they the ſaid *Thomas White* otherwiſe *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, and *John Grove*, and other falſe Traitors of our ſaid ſovereign Lord the *King* unknown, afterwards (to wit) the ſaid four and twentieth day of *April*, in the ſaid thirtieth year of the Reign of our ſaid ſovereign Lord the *King*, at the ſaid pariſh of S. *Gyles in the Fields* in the County of *Middleſex* aforeſaid, falſly, deceitfully, adviſedly, malicioufly, devilliſhly, and traitorouſly, did ſeverally plight their Faith every one to other of them, and did then and there ſwear and promiſe upon the Sacrament, to conceal and not to divulge their ſaid moſt wicked Treaſons, and traitorous compaſſings, conſultations, and purpoſes aforeſaid, ſo among them had, traitorously to kill and murther our ſaid ſovereign Lord the *King*, and to introduce the *Roman Religion*, to be uſed within this *Kingdom of England*, and to alter and change the true *Reformed Religion*, rightly and by the laws of this *Kingdom of England*, in this ſame *Kingdom of England* eſtabliſhed: And further, that they the ſaid *Tho. Pickering* and *John Grove*, in execution of their ſaid traitorous Agreement, afterwards (to wit) the ſame 24th. day of *April*, in the ſaid 30th. year of the Reign of our ſaid ſovereign Lord the *King*, and divers other days and times afterwards at the ſaid pariſh of S. *Gyles in the Fields*, in the ſaid County of *Middleſex*, falſly, deceitfully, adviſedly, maliciously, devilliſhly, and traitorously they did prepare and obtain to themſelves, and had and did keep Muſquets, Piſtols, Swords, Daggers, & other offenſive and cruel weapons and inſtruments, to kill & murther our ſaid ſovereign Lord the *King*: And that they the ſaid *Tho. Pickering* and *John*

Grove

Grove afterwards, to wit, the ſaid four and twentieth day of *April*, in the ſaid thirtieth year of the Reign of our ſaid Sovereign Lord the King, and divers days and times afterwards with force and Arms, *&c.* at the ſaid pariſh of St. *Giles* in the Fields in the County of *Middleſex* aforeſaid, and in other places within the ſaid County of *Middleſex* falſely, deceitfully, adviſedly, maliciouſly, and traiterouſly, did lie in wait, and endeavour to kill and murder our ſaid Sovereign Lord the King; and further, that they the ſaid *Thomas White* otherwiſe *White-bread*, *William Ireland*, *John Fenwick*, and other falſe Traytors unknown, afterwards (to wit) the ſaid 24*th.* day of *April* in the ſaid thirtieth year of the Reign of our ſaid Sovereign Lord the King, at the ſaid pariſh of St. *Giles* in the Fields, in the County of *Middleſex* aforeſaid, falſly, deceitfully, adviſedly, maliciouſly, divelliſhly, and trayterouſly, did prepare, perſwade, excite, abet, comfort, and counſel four other perſons unknown, and Subjects of our ſaid Sovereign Lord the King, trayterouſly to kill and murder our ſaid Sovereign Lord the King, againſt the duty of their allegiance, againſt the peace of our ſaid Sovereign Lord the King, his Crown and Dignity, and againſt the form of the Statute in that behalf made and provided.

Vpon this Indictment they have been arraigned, and thereunto have ſeverally pleaded, *Not Guilty*, and for their trial have put themſelves upon God and their Country, which Country you are.

Your charge therefore is to inquire, whether they or any of them be guilty of the High Treaſon, whereof they ſtand indicted, or not guilty. If you find them or any of them guilty, you are to en-

quire what Goods or Chattels, Lands or Tenements, thoſe you find guilty had at the time of the High Treaſon committed, or at any time ſince. If you find them, or any of them not guilty, you are to inquire whether they did flie for it, if you find, that they or any of them fled for it, you are to enquire of their Goods and Chattels, as if you had found them guilty. If you find them or any of them not guilty, nor that they, nor any of them fled for it, ſay ſo, and no more, and hear your Exidence.

Make Proclamation of ſilence, on both ſides.

Which was done.

Then Sir *Creſwell Levings*, one of the Kings Learned Council in the Law, opened the Indictment, thus,

Sir *Creſ. Levings*. May it pleaſe your Lordſhip, and you Gentlemen of the Jury. Theſe Priſoners at the Bar, *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwick*, *Thomas Pickering*, and *John Grove* do all ſtand indicted of High-Treaſon; for that whereas they, as falſe Traitors, meaning and deſigning to diſturb the Peace of the Kingdome, to levy war within the Kingdome, to make miſerable ſlaughter amongſt the Kings Subjects, to ſubvert the Religion eſtabliſhed by the Law of the Land, to introduce the Superſtition of the Church of *Rome*, and to bring to death and final deſtruction, and to murder and aſſaſſinate our Soveraign Lord the King, they did, to effect theſe thing, the four and twentieth of *April* laſt aſſemble themſelves together with many other falſe Traitors, yet unknown, in the Pariſh of Saint *Giles* in the Fields in the County of *Middleſex*, and there, being ſo aſſembled, the better to effect theſe deſigns did make agreements and conſpire together; firſt, that *Pickering* and *Grove* ſhould kill the King, and that *White* and the reſt of the Perſons that ſtand indicted, with many other Traytors, ſhould ſay a great number of Maſſes for the Soul of the ſaid *Pickering*, I think thirty thouſand, and they did further agree there that *Grove* ſhould have a great ſum of money, and upon this agreement *Grove* and *Pickering* did undertake and promiſe they would do this fact, and did then and there take the Sacrament and an Oath to one another upon the Sacrament, that they would conceal theſe their Treaſons, that they might the better effect them: and that in purſuance

ſuance of this, *Grove* and *Pickering* did divers times lie in wait to murder the King, and did provide arms to do it; and the Indictment further ſets forth, that *White*, and *Ireland*, and *Fenwick*, and many other Traytors yet unknown, did procure four other perſons, yet alſo unknown, for to kill the King, againſt the peace of our Soveraign Lord the King, his Crown and Dignity, and againſt the forme of the Statute. Theſe are the heads of thoſe facts for which they ſtand indicted: They have all pleaded not guilty, if we prove them or any of them guilty of theſe or any of theſe facts according to the Evidence you ſhall have, we hope you will find it.

Sir. *Samuel Baldwyn*, one of his Majeſties Serjeants at Law, opened the charge as followeth.

Sir. *Samuel Baldwyn*. May it pleaſe your Lordſhip and you Gentlemen of the Jury, the Perſons here before you ſtand indicted for High Treaſon, they are five in number, three of them are *Jeſuites*, one is a *Prieſt*, the fifth is a Lay-man, perſons fitly prepared for the work in hand.

Gentlemen, it is not unknown to moſt perſons, nay to every one amongſt us, that hath the leaſt obſerved the former times, how that ever ſince the Reformation there hath been a deſign carried on to ſubvert the Government, and deſtroy the Proteſtant Religion eſtabliſhed here in *England*; for during all the Reign of Queen *Elizabeth* ſeverall attempts were made by ſeveral *Prieſts* and *Jeſuites*, that came from beyond the Seas, (though the Laws were then ſevere againſt them) to deſtroy the Queen, and alter the Religion eſtabliſhed here in *England*, and ſo introduce Popery and the ſuperſtition of the Church of *Rome*.

But the Conſpirators from time to time, during all the Queens Reign, were diſappointed, as *Edmond Campion* and ſeveral other Jeſuits, who came over in that time and were executed, and did ſuffer for their Treaſons according to Law: at length, about the latter end of the Queen's time, a Seminary for the *Engliſh* Jeſuits was founded at *Valledolid* in *Spain*, and you know the employment ſuch Perſons have.

And ſoon after the Queens death, in the beginning of the

Reign of King *James* ſeveral perſons came over into *England* from this very Seminary, who, together with one *Henry Garnet*, Superior of the Jeſuits than in *England*, and divers other Engliſh Papiſts, hatched that helliſh Gunpowder-Plot; whereby what was deſigned you all know, but as it fell out theſe perſons, as well as thoſe in Queens *Elizabeths* time, were likewiſe diſappointed, and for their execrable Treaſons, in the third Year of King *James*, were executed at *Tyburn* and other places.

This is evident by the very Act of Parliament in 3° *Jacobi* in the preamble whereof mention is made that *Creſwel* and *Teſmond* Jeſuits, came from *Vallidolid* in *Spain* to execute this Gun powder-Treaſon with the Popiſh party here in *England*.

And Gentlemen, after this Treaſon, ſo miraculouſly diſcovered, was puniſhed, one would not have thought that any future age would have been guilty of the like Conſpiracy; but it ſo falls out that the Myſtery of iniquity and Jeſuitiſm ſtill worketh, for there hath of late been a ſort of cruel and bloody minded perſons, who, in hopes to have better ſucceſs, than they had in former times, during the Reigns of Queen *Elizabeth* and King *James*, have ſet on foot as horrid a Deſign as that of the Gunpowder Treaſon; I can reſemble it to no other Plot, or Deſign, or Treaſon in any other time, and truely it does reſemble that in many particulars: I may ſay, it doth at the leaſt equal it, if not exceed it.

I ſhall mention two or three particulars in which this Plot doth reſemble that.

Firſt, that horrid Deſign was to take away the Life of the then King, to Subvert the Government, to introduce the Popiſh Religion, and to deſtroy the eſtabliſhed Proteſtant Religion in *England*, and ſo, Gentlemen, we think our proofs will make it out, that in each of theſe particulars this Deſign is the ſame that that was.

Secondly, The great Actors in that Deſign were Prieſts and Jeſuits that came from *Valledolid* in *Spain* and other places beyond the Seas. And the great Actors in this Plot are Prieſts and Jeſuits, that are come from St. *Omers*, and other places beyond the Seas nearer home than *Spain*.

Third-

Thirdly, That Plot was chiefly guided and managed by *Henry Garnet*, Superiour and Provincial of the Jeſuiſts then in *England*; and the great Actor in this Deſigne, is Mr. *Whitebread*, Superiour and Provincial of the Jeſuiſts now in *England*; ſo that I ſay, in theſe ſeveral Particulars it does reſemble the *GUNPOWDER PLOT*.

Gentlemen, In this Plot of which the Priſoners now ſtand Indicted ſeveral Perſons have ſeveral Parts: Some of theſe Perſons are Employed to keep Correſpondence beyond the Seas, (of which more hath been ſaid in another place, and ſo I ſhall not ſpeak of it here): Others were to procure and prepare Aid and Aſſiſtance here in *England*, who were to be ready when there ſhould be occaſion to Uſe it. But the great part that Theſe Perſons (the Priſoners at the Barr) were to Act in this Conſpiracy, was, *To take away the Life of our Soveraign Lord the KING*, on whoſe Preſervation the ſafety and welfare of Three Nations (and Millions of Men) does depend. Now the Facts for which the Five Priſoners ſtand Indicted, I ſhall open thus:

Firſt, They are here Indicted for *Conſpiring the Death of his Sacred Majeſty*: They did Agree to take Away the KING'S Life; and entering into ſuch an Agreement, They Hired ſome Perſons amongſt them to do it; and this Agreement was made the 24th. of *April* laſt, 1678.

Secondly, There is another Fact they likewiſe ſtand Indicted for: That they did *Endeavour and Contrive to Change and Alter the Religion Eſtabliſhed in the Nation, and introduce Popery in the Room of it*. The Manner how to Effect this, was thus, if my Information be Right; you ſhall hear that from the Evidence. Mr. *Whitebread* being Reſident here in *England*, and Superiour of the Jeſuits, did in *February* laſt think fit, (being impowered by Authority from *Rome*) to give Summons to the Jeſuits abroad, at *St. Omers*, and other places beyond the Seas, That they ſhould come over here into *England*, to be ready at *London*, on the Four and Twentyeth of *April*, the day laid in the Indictment, and which is the day after *St. Georges* day; and their Deſigne was (as will appear by the Proof) to Contrive how they may *Take Away the Life of the KING*: For, if that were once done, they thought, in all other Things, their Deſigne would eaſily be Accompliſhed. After the Summons were Out, they were ſo Officious for the Accompliſhing of this Great End, that between Forty and Fifty

Jeſuits did appear here at *London* at the time, (for thither they were Summoned) and there the Meeting was appointed to be. At the *White-Horſe-Tavern* in the *Strand* they were to Meet firſt; but being ſo great a Number, that they were likely to be taken Notice of, if they came all together, it was ſo Ordered, they ſhould come but a few at a time, and go off in ſmall Numbers; and others ſhould ſucceed them, till the whole Number had been there: And there were Directions given, and a Courſe taken, that there ſhould be ſome perſon to tell them whither they ſhould go from thence. After they had met there at ſeveral times in the ſame day, they were appointed, and adjourned to be at ſeveral other Places; ſome of them were appointed to be at *Mr. Whitebreads* Lodging, and that was in *Wildſtreet*, at one Mrs. *Sanders* Houſe: Others were appointed to go to Mr. *Irelands* Lodging, which was in *Ruſſel-Street*, (and this Mr. *Ireland* was Treaſurer of the Society): And others were to meet at Mr. *Fenwicks* Chamber in *Drury*-Lane; and he was at that time Procurator and Agent for that Society. Others were appointed to meet at *Harcourts* Lodging; and others at other Places.

When they came there, they all agreed to the general Deſign of the firſt meeting, which was, *To Kill the King*. Then there was a Paper, or ſome Inſtrument to be Subſcribed. This was done, and the Sacrament was taken for the Concealment of it. After that, *Whitebread*, *Ireland*, *Fenwick*, and others, did Agree, that Mr. *Grove* and Mr. *Pickering* ſhould be employed to *Aſſaſſinate the King*. One of them (Mr. *Grove*) being a Lay-Brother, was to have Fifteen Hundred Pound, a great Sum; the other, as a more ſuitable Reward for his pains, was to have Thirty Thouſand Maſſes ſaid for his Soul. Mr. *Whitebread*, Mr. *Ireland*, and Mr *Fenwick*, were all privy to this Deſign; and this was the Twenty fourth of *April*. In *Auguſt* after (they being appointed to *Kill the King*, but it not taking Effect, either their Hearts miſgave them, or they wanted Opportunity) there was another meeting at the *Savoy*, where the Witneſſes will tell you, four *Iriſh* Perſons were hired for to *Kill the King*. And this was ordered, in caſe the other Deſign took not Effect. There was fourſcore Pounds ſent down to them to *Windſor*, where they were to have done the Fact. After this, other perſons were appointed to do

the

the Execution, and they were to take the *King* at his Morning Walk at *New-market*.

Theſe Perſons were all diſappointed in their Deſign. But you ſhall hear what was the Agreement, how it was carried on, and what Rewards were given to carry it on. We ſhall acquaint you likewiſe, that for the bottom of this Deſign (vvhen ſo many Jeſuites ſhould come over, vvhen they ſhould have ſo many Conſultations, and vvhen they ſhould reſolve to *Kill the King*) there could be no leſs than the Altering of Religion, and introduction of Popery here in *England*. And that time, at the firſt meeting, they had Ordered, That Mr. *Cary* a Jeſuite, as their Procurator and Agent, ſhould go to *Rome*, to Act their Concerns there. All vvhich things, and more, vvill be made out to you by Witneſſes Produced. There are likevviſe, ſome other Circumſtances that vvill be material to confirm thoſe Witneſſes. We ſhall produce to you, a Letter vvritten in *February* laſt, about that time that Mr. *Whitebread* ſent over his Summons for the Jeſuites, to appear here. This Letter was written by one Mr. *Peters*, a Jeſuite now in Cuſtody; and 'tis written to one *Tunſtal* a Jeſuite, to give him notice, That he ſhould be in *London* about the twenty firſt of *April*, and be ready on the twenty fourth of *April*; That he knew what the buſineſs was; but he did Adviſe him, that he ſhould Conceal himſelf, leſt the Plot (by Obſervation) ſhould be diſcover'd. We ſhall likewiſe produce ſeveral other Evidences, to Strengthen and Confirm the Witneſſes: We ſhall firſt call our Witneſſes, and enter upon the Proof.

Mr. *Finch* open'd the Evidence thus:

Mr. *Finch*. May it pleaſe your Lordſhip, and you Gentlemen of the Jury,

Before we call our Witneſſes, I would beg Leave once more to Re-mind you, of what hath already been open'd unto you; The Quality of the Offenders themſelves, and the Nature of the Offence they ſtand Indicted of.

For the Offenders, they are moſt of them, Prieſts and Jeſuites; three of them at the leaſt, are ſo; the other Two, are the Accurſed Inſtruments of this Deſigne: For the Offence it ſelf, 'tis High Treaſon.

And though it be High Treaſon by the Statute of Twen-

ty Seven *Eliz.* for men of that Profeſſion to come into *England*; yet theſe Men are not Indicted upon that Law, nor for that Treaſon: This I take Notice of to you, for the Priſoners ſake, that they ſhould not Fancy to themſelves, they ſuffered *Martyrdom* for their *Religion*, as ſome of them have vainly Imagin'd in their caſe; and for your ſakes too, that as at firſt, it was Treaſon, repeated Acts of Treaſon, in theſe Men; and thoſe proceeding from a Principle of Religion too, that juſtly occaſioned the Making that Law: So here you might obſerve a pregnant Inſtance of it in the Priſoners at the Bar, That when ever they had an Opportunity, as now they thought they had, they have never Failed to put thoſe Principles into Practice.

So now, Gentlemen, As they are not Indicted for being *Prieſts*, I muſt deſire you to lay that quite out of the Caſe, and only conſider, that they ſtand here Accuſed for Treaſon; ſuch Treaſon, as were they Lay-men onely, they ought to Die for it; though I cannot but Obſerve, they were the ſooner Traitors for being Prieſts.

The Treaſon therefore they ſtand Indicted of, is of the higheſt Nature: It is a Conſpiracy to *Kill the King*, and that too with Circumſtances ſo Aggravating (if any thing can Aggravate that Offence which is the Higheſt) that nothing leſs than the Total Subverſion of the Government, and utter Deſtruction of the Proteſtant Religion, vvould ſerve their Turns. And Really, when you Conſider the Root from whence this Treaſon Springs, you will ceaſe Wondring that all this ſhould be Attempted, and rather wonder that it was not done.

Miſchiefs have often miſcarryed for want of Wickedneſs enough; the Horror of Conſcience, or elſe the Malice of the Aggreſſor not being equal to the Attempt, has ſomtimes prevented the Execution of it. Here is no Room for any thing of this kind: This Treaſon proceeds from a Principle of *Religion*, from a Senſe that it is Lawful; Nay, that they ought to do theſe things; and every neglect here, is lookt on as a piece of Irreligion, a want of Zeal; for vvhich one of the Priſoners did Penance, as in the Courſe of our Evidence we ſhall prove unto you.

And

And when we conſider too, that this is carried on, not by the fury of two or three buſie men over-zealous in the Cauſe, but by the deliberate, and ſteddy Councels of the whole Order, and that too under the Obligations of Secrecy as high as Chriſtian Religion can lay on them; You have great reaſon to wonder that it did not ſucceed. And yet after all this they have not been able to prevail. Not that we can bragg of any humane Policy that did prevent it; No, all that the Witt of Man could do, theſe Men had done: But 'twas the Providence of God, 'twas his Revelation; That Providence that firſt enlightned his Church, and has preſerv'd it againſt all oppoſition heretofore, has once more diſappointed their Councels, and Preſerved the King and this Nation in the Profeſſion of that True Religion theſe Men have vainly attempted to deſtroy.

Gentlemen, I will not open to you the Particulars of our Evidence, that I had rather ſhould come from the Witneſſes themſelves: I ſhall onely in general tell you what will be the courſe of it. We ſhall prove unto you, That there was a Summons for a Conſultation to be held by theſe Men the 24 of *April* laſt, from the Provincial Mr. *Whitebread*; That they had a Caution given them, Not to come too ſoon, nor appear much about Town, till the Conſultation were over, leſt occaſion ſhould be given to *Suſpect the Deſign*: That accordingly a Conſultation was held, as they ſay, to ſend *Cary*, their Procurator, to *Rome*; Though we ſhall prove to you, it was for other purpoſes: That they adjourned from their General Aſſembly into leſſer Companies; where ſeveral perſons did attend them to carry Intelligence of their ſeveral Reſolutions: That at theſe ſeveral Conſults, they did reſolve, The King was to be Killed. That *Pickering* and *Grove* ſhould do it; for which the one was to have 30000 Maſſes ſaid for his Soul: The other was to have 1500 l. That in Proſecution of this Deſign, they made ſeveral attempts to execute it; That they lay in Wait for the King ſeveral times in St. *James*'s Park and other places; And that once in particular, it had been done by *Pickering*, if it had not pleaſed God to have prevented it by an Accident unforeſeen; The Flint of his Piſtol being looſe, he durſt not then attempt it, though he had an opportunity: For which neglect,

we ſhall prove to you, he underwent the Penance of 20 or 30 ſtroakes. That when theſe Men had failed, we ſhall prove to you they hired Four Ruffians to Murder the King at *Windſor*, and after that at *New-Market*. Thus they Way-layd him in all his Privacies and Retirements, wherever they could think it moſt convenient to execute their Deſign.

And this we ſhall prove by two Witneſſes; who though they ſhould not ſpeak to the ſame Conſultations, nor the ſame times; yet they are ſtill two Witneſſes in Law. For ſeveral Witneſſes of ſeveral Overt-Acts, are ſo many Witneſſes to the Treaſon. Becauſe the Treaſon conſiſts in the intention of the Man, in the Compaſſing and Imagining the Death of the King. The ſeveral Overt-Acts which declare that Intention, are but as ſo many Evidences of the Treaſon. We will call our Witneſſes, and make out what has been open'd to you.

Cl. of Cr. Mr. *Oates*, Lay your Hand upon the Book. The Evidence you ſhall give for our Soveraign Lord the King againſt *Thomas White* alias *Whitebread*, *William Ireland*, *John Fenwicke*, *Thomas Pickering*, and *John Grove*, the Priſoners at the Bar, ſhall be the truth, the whole truth, and nothing but the truth. *So help you God.*

Mr. Serj. Baldwyn. Pray, Mr. *Oates*, will you declare to the Court and the Jury, what Deſign there was for the Killing of His Majeſty, and by whom.

Mr. *Oates*, My Lord, In the Month of *December* laſt, Mr. *Thomas Whitebread* did receive a Patent from the general of the Jeſuites at *Rome* to be Provincial of the Order; after he had received this Patent, he ſent Order to one *George Conyers* a Jeſuite at St. *Omer's* to Preach upon St. *Thomas* of *Canterbury's* Day; and by virtue of this Order, *George Conyers* did Preach againſt Oaths of Allegiance and Supremacy, and did in his Doctrine call them Anti-Chriſtian and Deviliſh. My Lord, in the Month of *January*, this Mr. *Whitebread* did ſend ſeveral Letters to St. *Omers*; in which Letters there was contained intimation of his intent to proceed againſt the King's Perſon to Aſſaſſinate him, which Letters were written to *Richard Aſhby*. My Lord, in the Month of *February*, there comes an Order from him as Provincial, for ſeveral of the Jeſuites to make their appearance at *London*, to be there at a Conſult to be held the 24*th* of *April*, old Stile.

L. Chief

L. Chief Juſt. Where was *Whitebread* then?

Mr. *Oates.* He was then in *London*, my Lord, as I ſuppoſe by the dateing of his Letters. My Lord, from Mr. *Whitebread* after this Summons, we received a ſecond Summons, which came the 5*th* of *April*, New Stile, and upon the Summons there were Nine did appear at *London*, the Rector of *Liege*, Sir *Thomas Preſton*, the Rector of *Ghent*, whoſe name is *Marſh*, the Rector of *Wotton*, whoſe name is *Williams*, and to one Sir *John Harper*, and two or three more from St. *Omers*; and there was a ſpecial Order given us, my Lord, to keep our ſelves cloſe, leaſt we ſhould be ſuſpected, and ſo our Deſign diſcloſed. My Lord, upon the four and twentieth of *April*, old Stile, we did appear in the Conſult. The Conſult was begun at the *White-Horſe* Tavern in the *Strand*, and there they met in ſeveral Rooms, they came on by degrees, and as the new ones came on, the old ones, thoſe that had been there before them, fell off. And there was one *John Cary* appointed to go Procurator for *Rome*, and he was ſo appointed by the Suffrages of the three Priſoners at the Bar, *Whitebread*, *Ireland*, and *Fenwicke*. It was afterwards adjourned into ſeveral Colloquies or little Meetings; one Meeting was at Mrs. *Sanders* Houſe that butts upon *Wild-Houſe*, a ſecond was at Mr. *Ireland's*, a third was at Mr. *Harcourt's*, a fourth was at Mr. *Grove's*, and other Meeting or Meetings there were, but I cannot give a good accompt of them. My Lord, after they had thus met, and debated the ſtate of Religion, and the Life of the King, they drew up this Reſolve; it was drawn up by one *Mico*, who was Secretary to the Society, and *Socius* or Companion to the Provincial.

L. Chief Juſt. When was that done?

Mr. *Oates.* That day, my Lord. The Reſolve, my Lord, was this, as near as I can remember the words. It is reſolved, That *Thomas Pickering*, and *John Grove*, ſhall go on in their Attempt to Aſſaſſinate the King (whether they uſed the word Aſſaſſinate, I can't remember, but the meaning was, they ſhould make an attempt upon his Perſon) and that the Reward of the one, that is *Grove's*, ſhould be fifteen Hundred Pounds, and that *Pickering's* Reward ſhould be thirty Thouſand Maſſes. My Lord, after this Reſolution was Signed by *Whitebread*, it was Signed by *Fenwicke* and *Ireland*, and by all the four Clubbs: I

ſaw

ſaw them Sign it; for I carried the Inſtrument from one to another.

L. Chief Juſt. What was it they Signed?

Mr. *Oates.* The Reſolve of the Conſult.

L. Chief Juſt. What that which was drawn up by *Mico*?

Mr. *Oates.* Yes, my Lord, that which was drawn up by *Mico*.

Whitebread. Doth he ſay that he ſaw them Sign it?

Mr. *Oates.* Yes, I did ſee them Sign it.

Jury. We deſire he may be asked, where he ſaw them Sign it.

Mr. *Oates.* Mr. *Whitebread* Signed it at that part of the Conſult that was at his Chamber, *Ireland* did Sign it at that part of the Conſult that was at his Chamber, *Fenwicke* Signed it at that part of the Conſult that was at his Chamber.

Whitebread. Were you at all theſe places?

Mr. *Oates.* I went with it from place to place; but I mention no more now, but only theſe.

Whitebread. You were not at all theſe places, and ſaw them Sign it there, were you?

Mr. Oates. Yes, I did ſee them Sign it at all thoſe places. My Lord, in the Month of *May*, Mr. *Whitebread* came over as Provincial from *England* to St. *Omers* to begin his Provincial Viſitation, and with him came *Cary* and his Companion *Mico*. *Cary* left St. *Omers* to begin his Journey to *Rome*; *Whitebread*, after he had given an accompt of what proceedings the Catholicks of *England* had made in order to diſturb the Peace of the Kingdom, what Moneys had been gathered, what Suffrages diſpers'd, what means had been uſed, what Noblemen had joyned in this execrable Plot; he did then (my Lord) order me to come for *England*.

L. Chief Juſt. *Whitebread* did?

Mr. *Oates.* Yes, my Lord, *Whitebread* did. And, my Lord, the buſineſs I was to come into *England* for, was to Murder one Dr. *Tongue*, a Dr. in Divinity, who had written a Book called *The Jeſuites Morals*; that is to ſay, Tranſlated them out of *French* into *Engliſh*. My Lord, I came over into *England* on the 23*th* of *June*, new Stile, I came out of St. *Omers*, that is, the 13*th* in the Stile of *England*; on the 24*th* new Stile, I took the Packet-Boat at *Calice*; the 25*th* new Stile, I met with Mr. *Fenwicke* at *Dover*, he was come down with certain Youths, to ſend them to St. *Omers*, and had ordered their paſſage.

My

My Lord, with Mr. *Fenwick* and ſome other Perſons, we came to *London* in a Coach; and ſix miles (as near as I remember it) on this ſide *Canterbury*, at a place called *Bolton*, our Coach was ſtopt by the Searchers, and there they did examine a Box that was in the Coach directed for the Honourable *Richard Blundell* Eſq; This Box when they open'd it, they found full of Beads, Crucifixes, Images, and other ſorts of Trompery, that I cannot give a good account of; it's he can give the beſt: Mr. *Fenwick* went by the name of one *Thompſon*, and did perſonate one *Thompſon*, as Living near the *Fountain-Tavern* at *Charing-Croſs*; and did order the Searchers to write to him there, as by the name of *Thompſon*. When the Box was ſeiz'd, they being Prohibited Goods, Mr. *Fenwick* did ſay; that if they had ſearch'd his Pockets, they had found ſuch Letters about him, as might have coſt him his Life; but his Letters did eſcape Searching. We came that night to *Sittenburgh*, and lay there on *Sunday* the 26th. *New Stile*, as near as I remember; and I think we ſtayed there till the Afternoon: We took Coach in the Afternoon and came as far as *Dartford*. On *Monday* morning we came into *London*; and (my Lord) when we came into *London*, and had continued there ſome days. (I now return to Mr. *Whitebread*,) There came one *Aſhby* to Town, he had been ſometime Rector of St *Omers*, and was come to *England* ſick of the Gout, and was to go to the *Bath* to be Cured. And he brought Inſtructions with him from *Whitebread*; and the Inſtructions contained in them theſe Particulars: Inſtructions or Memorials, or what elſe they called them. Firſt that Ten Thouſand Pounds ſhould be propoſed to Sir *George Wakeman* for the Killing of the King. Secondly, That care ſhould be taken for the Murder of the Biſhop of *Hereford*. Thirdly, That care ſhould be taken for the Murder of Dr. *Stillingfleet*. Fourthly, That though this Propoſal was made to Sir *George Wakeman* of 10000 *l.* yet *Pickering* and *Grove* ſhould go on ſtill in their Attempts. (My Lord,) afterwards theſe were taken and Copied out, and Diſperſt to the ſeveral Conſpirators in the Kingdom, whoſe Names I cannot call to mind. But *Coleman* made ſeveral Copies and Diſperſt them about. Then the 10000 *l.* was propoſed to Sir *George Wakeman*, but it was refuſed.

Lord Ch. Juſt. What, it was too little?

Mr. *Oates*. Yes, (my Lord,) it was too little. Then *Whitebread* he Writ from St. *Omers*, that in caſe 10000 *l.* would not do, Fifteen ſhould be propoſed, and after that he had

had that propoſed, he accepted of that.

Lord. Ch. Juſt. Were you by when he accepted it?

Mr. *Oates*, No (my Lord,) I was not: But it appeared upon their Entry Books, and it appeared by a Letter from this Gentleman Mr. *Whitebread*, wherein he did ſhew a great deal of joy for Sir *George Wakemans* accepting of the Fifteen Thouſand Pounds. (My Lord.) After this was agreed upon, that Sir *George Wakeman* ſhould have Fifteen Thouſand Pounds, and Five Thouſand of it was payed by *Coleman* or his Order. Thus the State of Affairs ſtood till *Auguſt*. Then one *Fogarthy* who is dead, came to a Conſult of the Jeſuits with the Benedictins: Now at this Conſult the Priſoner at the Bar *Fenwick* was, he was one and *Harcourt* was another. And in this Conſult there were Four *Ruffians* recommended to them.

Lord Ch. Juſt. By Whom?

Mr. *Oates*, By *Fogarthy*, they were recommended, but accepted of by theſe Conſultors, and conſented to by *Fenwick*. They were ſent away, and the next day after, Fourſcore Pounds was ſent them, the moſt part of it was Gold, and *Coleman* was there and gave the Meſſenger a Guiney to expedite his Errand. (My Lord,) In the Month of *Auguſt* there came other Letters from *Whitebread*, wherein he did give an Account of what care he had taken of the *Scotch* buſineſs; and he ordered one *Moor* and one *Sanders* alias *Browne*, to go down to *Scotland*, and he did Order the Rector of *London*, then *William Harcourt*, to ſend them; and he did ſo ſend them the *6th.* of *Auguſt* in the name of the Provincial.

Whitebread, From whence I pray?

Mr. *Oates*, From *London*, and they went to proſecute and carry on the deſign which *Fenwick* and *Ireland* had Plotted, of a Rebellion amongſt the Diſaffected *Scots* againſt the Governours appointed them by the King, and they ſent down Miniſters to Preach under the Notion of Presbyterian Miniſters, in order to get the Diſaffected *Scots* to riſe, by inſinuating the ſad Condition they were likely to be in, by reaſon of Epiſcopal Tyrany, (as they termed it.) And that they were reſolved to diſpoſe of the King, and they did intend to diſpoſe of the Duke too, in caſe he did not appear vigorous in promoting the Catholick Religion; (I ſpeak their own words.)

Lord Ch. Juſt. Have you done with your Evidence? What do you know of the Priſoners at the Bar? Name them all.

Mr. *Oates*, There is *Whitebread*, *Ireland*, *Fenwick*, *Pickering*, and *Grove*.

Lord

Lord Ch. Juſt. Are you ſure *Pickering* and *Grove* accepted of the Terms?

Mr *Oates*, Yes, (my Lord,) I was there.

Lord Ch. Juſt. Where was it?

Mr. *Oates*, At Mr. *Whitebread*'s Lodgings, at Mrs. *Sanders* Houſe. As for *Grove*, indeed he did attend at that time upon *Fenwick* at his Chamber; but after the Conſult was over, he came to *Whitebread*'s Lodgings and did take the Sacrament and the Oaths of Secrecy upon it, and did accept it, and agree to it.

Lord Ch. Juſt. Were you there when he took the Sacrament?

Mr. *Oates*, Yes, (my Lord) I was.

Lord Ch. Juſt. Who gave you the Sacrament?

Mr. *Oates*, It was a Jeſuite, that goes by the Name of one *Barton*.

Whitebread, (my Lord) before I forget it, I deſire to ſay this. He ſays that at ſuch and ſuch Conſults in *April* and *May*, he was preſent and carryed the Reſolutions from one to another. There are above a Hundred and an Hundred, that can teſtify he was all that while at St. *Omers*. Pray tell me when I received the Sacrament?

Mr. *Oates*, At the ſame time.

Whitebread, What day was that?

Mr. *Oates*, The 24*th.* of *April*.

Whitebread, Was I there?

Mr. *Oates*, You were there.

Whitebread, I take God to Witneſs I was not.

L. Ch. Juſt. Mr. *Whitebread* you ſhall have time to make your Anſwer. But Mr. *Oates*, pray Mr. *Oates*, when was Mr. *Cary* diſpatch'd away to *Rome*, and what was his Errand?

Mr. *Oates*, (My Lord,) I'le tell you, he was approved of to go to *Rome* the 24*th.* of *April*; in the Month of *May* or *June* *Whitebread* brings *Cary* over to St. *Omers*, and one *Mico* his Secretary or Companion with him.

Lord Ch. Juſt. When was it?

Mr. *Oates*, In the Month of *May* or *June* he was brought over by the Provincial: Then he went away on his Journey, and at *Paris* received 20*l.* to bear his Charges.

Mr. Finch, What do you know of any Attempts to kill the King at St. *James*-Park?

Mr. Oates, I ſaw *Pickering* and *Grove* ſeveral times walking in the Park together with their Screwd Piſtols, which were longer then ordinary Piſtols, and ſhorter then ſome Carbines. They had Silver Bullets to ſhoot with, and *Grove* would have

had

had the Bullets to be Champt, for fear that if he ſhould Shoot, if the Bullets were Round, the Wound that might be given might be Cured.

L. Ch. Juſt. Did *Grove* intend to Champ them?

Mr. *Oates*, He did ſay ſo.

L. Ch. Juſt. Did he ſhew you the Bullets?

Mr. *Oates*, I did ſee them.

Grove, When was this?

Mr. *Oates*, I ſaw the Bullets in the Month of *May* and in the Month of *June*.

Whitebread, Pray where did you ſee them?

Mr. *Oates*. In *Grove's* poſſeſſion.

Whitebread, At what time?

Mr *Oates*, In the Month of *May*.

Whitebread, Then was he actually himſelf at St. *Omers*. Was it in *May* or *June*?

Mr. *Oates*, The latter end of *May* and *June*. I ſaw them then twice if not thrice. But *Pickering's* I ſaw in *Auguſt*.

Sir *Cr. Levings*, Do you know any thing of *Pickering's* doing Penance, and for what?

Mr. *Oates*, Yes, (my Lord,) In the Month of *March* laſt, (for theſe perſons have followed the King ſeveral years) but he at that time had not look't to the Flint of his Piſtol, but it was looſe, and he durſt not venture to give Fire. He had a fair opportunity, as *Whitebread* ſaid; and becauſe he miſt it through his own negligence, he underwent Penance, and had 20. or 30. Strokes of Diſcipline, and *Grove* was Chidden for his Careleſneſs.

L. Ch. Juſt. That was in *March* laſt?

Mr. *Oates*, Yes, my Lord.

L. Ch. Juſt. How do you know that?

Mr. *Oates*, By Letters that I have ſeen from Mr. *Whitebread*, theſe I ſaw and read, and I know *Whitebread's* hand.

Mr. *Serj. Baldwyn*, What do you know of the Ruffians that went down to *Windſor*? What ſucceſs had they?

Mr. *Oates*, I can give no account of that, becauſe in the beginning of *September* this Gentleman that had been in *England* ſometime before, was come to *London*, and the buſineſs had taken Air, and one *Beddingfield* had Written to him, that the thing was diſcovered, and that none but ſuch a one could do it, naming me by a Name that he knew I went by.

Whitebread, When was that Sir?

Mr. *Oates*,

Mr. *Oates.* In the Month of *September* last, I came to the Provincial's Chamber the third of *September*, when I came I could not speak with him, for he was at Supper; but when he had supp'd I was admitted in, and there he shewed me the Letter that he had received from *Beddingfield*. *Whitebread.* Where did you see it?

Mr. *Oates.* You read it to me when you chid me, and beat me, and abused me.

L. Ch. Just. What did he chide you for?

Mr. *Oates.* He did charge me with very high language of being with the King, and with a Minister, and discovering the matter. I was so unfortunate that the Gentleman who was with the King did wear the same colour'd Clothes that I did then wear: And he having given an account that the party wore such Clothes, the suspicion was laid upon me: Now, my Lord, *I* had not then been with the King, but another Gentleman had been with him from me with the draughts of some Papers concerning this business, which I had drawn up, and *I* was ready to appear when *I* should be called to justifie them, only *I* did not think fit to appear immediately; And, my Lord, this *Beddingfield* he had gotten into it that it was discovered, and writ the Provincial word he thought it was by me; *for*, said he, *he hath been drawn in by some of his old acquaintance:* When he had received this Letter, he asked me with what face *I* could look upon him, since *I* had betrayed them: So, my Lord, *I* did profess a great deal of innocency, because *I* had not then been with the King; but he gave me very ill language and abused me, and *I* was afraid of a worse mischief from them; for *I* could not but conclude, that if they dealt so cruelly with those that only writ against them, *I* could scarce escape, of whom they had that jealousie that *I* had betrayed them: And, my Lord, though they could not prove that *I* had discovered it, yet upon the bare suspicion *I* was beaten and affronted, and reviled, and commanded to go beyond Sea again; nay, my Lord, *I* had my Lodging assaulted to have murthered me if they could. *Whitebread.* By whom?

Mr. *Oates.* By Mr. *Whitebread*, and some of them.

Whitebread. Who beat you? Mr. *Oates.* Mr. *Whitebread* did.

Mr. *Serjeant Baldwyn.* Was it *Pickering* or *Grove* that had the Flint of his Pistol loose? Mr. *Oates. Pickering.*

Pickering. My Lord, I never shot off a Pistol in all my life.

L. Ch. Just. What say you as to the fourscore Pounds?

Mr. *Oates.* My Lord I will speak to that, that was given to the four Ruffians that were to kill the King at *Windsor*: Now, my Lord, that Money I saw----

L. Ch. Just. Where did you see it?

Mr. *Oates.* At *Harcourt*'s Chamber.

L. Ch. Just. Where is that?

Mr. *Oates.* In *Duke-Street*, near the Arch.

L. Ch. Just. Who was it given by?

Mr. *Oates. William Harcourt.*

L. Ch. Just. Did you see the four Fellows?

Mr. *Oates* No my *Lord*, I never did, nor never knew their Names.

L. Ch. Just. Who was the Money given to?

Mr. *Oates.* A Messenger that was to carry it down to them.

L. Ch. Just. Who was that Messenger?

Mr. *Oates.* One of theirs that I do not know, and I durst not be too inquisitive, my *Lord*, for fear of being suspected.

L. Ch. Just. Who was by when the Money was paid?

Mr. *Oates. Coleman* that is executed; and, my *Lord*, there was this Mr. *Fenwick* by, that is the Prisoner at the Bar.

Fenwick. When was this? Mr. *Oates.* In the Month of *August.*

Fenwick. Where? Mr. *Oates.* At *Harcourt's* Chamber.

Fenwick. I never saw you there in all my life: Are you sure I was by when the Money was there? Mr. *Oates.* Yes, you were.

L. Ch. Just. Mr. *Fenwick*, You shall have your time by and by to ask him any question: Mr. *Oates* let me ask you once again; when there was the appointment made for *Grove* and *Pickering* to kill the King, who signed it?

Mr. *Oates.* At least forty signed it.

L. Ch. Just. Did the other three sign it?

Mr. *Oates.* Yes, my *Lord*, all of them.

L. Ch. Just. Name them.

Mr. *Oates.* There was *Whitebread*, *Fenwick*, and *Ireland.*

L. Ch. Just. And you say you went from place to place and saw it signed. Mr. *Oates.* Yes, my *Lord*, I did.

L. Ch. Just. Were you Attendant upon them?

Mr. *Oates.* My *Lord* I ever was since the year 1666.

L. Ch. Just. At whose Lodging did you use to attend upon the Consultation?

Mr. *Oates.* At the Provincials Chamber, Mr. *Whitebread.*

L. Ch. Just. Where was it first signed?

Mr. *Oates.* At the Provincials Chamber.

Sir Cr. Levings. Who carried it from Lodging to Lodging?

Mr. *Oates.* I did.

L. Ch. Just. Which was it? Mr. *Oates.* The 24th of *April.*

Mr. *Justice Bertie.* You say you carryed the Result from place to place, pray tell us what that Result was?

Mr. *Oates.* They knew what it was, for they read it before they signed it.

Mr. Just. Atkins. But tell us the Contents of it.

Mr. Oates. The Contents of that Resolve was this, (I'll tell you the substance, though *I* cannot tell you exactly the words) that

Pickering and *Grove* should go on in their attempts to assassinate the person of the King, as near as *I* can remember it was so, that the former should have 30000 *Masses* and the latter 1500 Pounds, and the whole Consult did consent to it and signed the agreement that was made with them, and did resolve upon the Kings death all in one resolve.

L. Ch. Just. Where was this agreed upon? at the *White-Horse-Tavern*?

Mr. *Oates.* No, my *Lord*, after they had agreed at the *White-Horse*, that Mr. *Cary* should go Procurator to *Rome*, and some other small particulars, which *I* cannot now remember, they did adjourn from the *White-Horse Tavern*, and met at several Chambers, some at one place, and some at another.

L. Ch. Just. But you say *Mico* did draw up the Resolution, where was that?

Mr. *Oates.* At Mr. *Whitebread's* Chamber, for he was *Socius* and Secretary to the Provincial.

L. Ch Just. Were *Ireland* and *Fenwick* present when *Mico* drew it up?

Mr. *Oates.* No, my *Lord*, but they were at their own Chambers; after it was drawn up there, and signed by Mr. *Whitebread*, and those of the Consult in his Chamber, it was carried to the several Consults.

L. Ch. Just. What all the same day. Mr. *Oates.* Yes, my *Lord.*

L. Ch. Just. And you went along with it.

Mr. *Oates.* Yes, my Lord, I did.

Mr. *Justice Bertue.* I only ask you were all the five Prisoners privy to it? or do you distinguish of any of them, and which?

Mr. *Oates.* They were all privy to it.

Whitebread. My *Lord*, we can prove——

L. Ch. Just. You shall have time sufficient to make what defence you can, you shall be sure to have a fair Tryal, and be stopt of nothing that you will think fit to say for your selves. Mr. *Oates*, were *Pickering* and *Grove* present?

Mr. *Oates.* Yes, my *Lord*, *Grove* at *Fenwicks* Chamber, and *Pickering* at the Provincials Chamber.

L. Ch. Just. But they were not required to sign this, were they?

Mr. *Oates.* After that the whole Consult had signed it, and Mass was preparing to be said for it, before Mass they did sign and accept of it.

L. Ch. Just. Where did they two do it?

Mr. *Oates.* At the Provincial's Chamber.

L. Ch. Just. What day was it?

Mr. *Oates.* That day; for they met all together at the Provincial's Chamber to receive the Sacrament, and when Mass was going to be said, one said it was too late, for it was after 12 a Clock, but

Mr. *White-*

Mr. *Whitebread* said it was not Afternoon till we had din'd; and you know, Mr. *Whitebread*, that Masses have been said at one or two of the Clock in the Afternoon.

Mr. *Justice Atkins*. How many persons did meet at that Consult?

Mr. *Oates*. My Lord there were about forty or fifty, and after they had adjourn'd into several lesser Companies, they met all together at Mr. *Whitebread*'s Chamber.

L. Ch. Just. Where was that, and when?

Mr. *Oates*. That day at *Wild-house*.

L. Ch. Just. Where was it that they gave the Sacrament?

Mr. *Oates*. At a little Chappel at *Wild-house*, Mrs *Sander's*.

L. Ch. Just. Did they accept it before they took the Sacrament?

Mr. *Oates*. Yes, *Pickering* and *Grove* did sign it before they took the Sacrament.

M. *Justice Atkins*. You tell us of an Oath of Secresie that was taken, what was that Oath?

Mr. *Oates*. I cannot give an account of the form of the Oath, but it was an Obligation of Secresie.

Mr. *Justice Atkins*. Did you see the Oath administred?

Mr. *Oates*. Yes, my Lord, I did.

L. Ch. Just. Who administred it?

Mr. *Oates*. Mr. *Whitebread*, he did give it unto me, and to all the rest that were there, and *Mico* held the Book, it was a Mass Book, but they were words of his own invention I believe, they were not written down.

L. Ch. Just. Cannot you tell what they were?

Mr. *Oates*. No, my Lord, I cannot tell, because I did not see them written down.

L. Ch. Just. If you will ask this Gent. any thing more you may.

Whitebread. My Lord, I am in a very weak and doubtful condition as to my health, and therefore I should be very loath to speak any thing but what is true: We are to prove a Negative, and I know 'tis much harder to prove a Negative than to assert an Affirmative; 'tis not a very hard thing for a Man to swear any thing if he will venture his Soul for it; but truly, I may boldly say, in the sight of Almighty God before whom I am to appear, there have not been three true words spoken by this VVitness.

L. Ch. Just. Do you hear, if you could but satisfie us, that you have no dispensation to call God to VVitness a lye——

Whitebread. My Lord, I do affirm it with all the protestations imaginable.

L. Ch. Just. But if you have a Religion that can give a dispensation for Oaths, Sacraments Protestations, and Falshoods that are in the VVorld, how can you expect we should believe you?

White-

Whitebread. I know no ſuch thing.

L. C. Juſt. We ſhall ſee that preſently, before we have done.

Mr. *Oats.* I have one thing more to ſay my Lord, that comes into my mind. This *Whitebread* received power from the See of *Rome* to grant out Commiſſions to Officers military. And my Lord, here are the Seals of the Office in Court, which he hath ſealed ſome hundreds of Commiſſions with, which they call Patents.

L. C. Juſt. What were thoſe Commiſſions for? For an Army?

Mr. *Oats.* Yes my Lord, for an Army.

Whitebread. When were thoſe Commiſſions ſigned?

Mr. *Oats.* My Lord, ſeveral of them were ſigned in the former Provincials time.

L. Ch. Juſt. What I warrant you, you are not Provincial of the Jeſuites, are you?

Whitebread. I cannot deny that, my Lord.

L. Ch. Juſt. Then there are more than three words he hath ſpoken are true.

Mr. *Juſt. Atkins.* I believe Mr. *Oats*, that that Army was intended for ſomething, pray what was it for?

Mr. *Oats.* My Lord, they were to riſe upon the death of the King, and let the French King in upon us, and they had made it their buſineſs to prepare *Ireland* and *Scotland* for the receiving of a foreign Invaſion.

L. Ch. Juſt. Who were thoſe Commiſſions ſealed by?

Mr. *Oats.* My Lord, the Commiſſions of the Great Officers were ſealed with the Generals Seal.

L. Ch. Juſt. Who was that?

Mr. *Oats.* His Name is *Johannes Paulus de Oliva*: His Seal Sealed the Commiſſions for the Generals, Major-Generals, and great Perſons; but thoſe Seals that ſealed the ſeveral Commiſſions to ſeveral inferiour Officers, were in the cuſtody of the Provincial.

L. Ch. Juſt. Can you name any one Perſon that he hath ſealed a Commiſſion to?

Mr. *Oats.* I can name one: To Sir *John Gage*, which Commiſſion I delivered my ſelf.

L. Ch. Juſt. What of *Suſſex*? Mr. *Oats.* Yes, of *Suſſex*.

Mr. *Juſt. Atk.* Who did you receive the Commiſſion from?

Mr. *Oats.* My Lord, when he went over, he left a great many blank Patents to be filled up, and he left one ready ſealed for a Commiſſion to Sir *John Gage*. This was delivered into my hands when he was abſent, but it was ſigned by him and delivered to me while he was in his Viſitation beyond the Seas, but I dare ſwear it was his hand, as I ſhall anſwer it before God and the King.

Mr. *Juſt. Atkins.* Who had it you from?

Mr. *Oats.* From Mr. *Aſhby*, but by *Whitebreads* appointment in his inſtructions which I ſaw and read.

L. Ch. Juſt. What was the Commiſſion for?

Mr. *Oats.* To be an Officer in the Army.

L. Ch. Juſt. Did you ſee the inſtructions left for *Aſhby*?

Mr. *Oats.* I did ſee them and read them, and I did then as I always did, give it as my judgment, that it was more ſafe to poyſon the King than to Piſtol or ſtab him.

Mr. *Juſt. Bertue.* Was the Commiſſion which you delivered to Sir *John Gage* from *Aſhby* or from *Whitebread*?

Mr. *Oats.* I had it from *Aſhby*, but *Whitebread* who was then beyond Sea, had ſigned this Commiſſion before he went. My Lord, I have ſomething more yet to ſay, and that is as to Mr. *Grove*, That he did go about with one *Smith* to gather Peter pence, which was either to carry on the deſign, or to ſend them to *Rome*. I ſaw the book wherein it was entred, and I heard him ſay that he had been gathering of it.

Grove. Where was this?

Mr. *Oats.* In Cock-pit Ally where you know I lodged.

Grove. Did I ever ſee you at your Lodging?

Mr. *Oats.* You ſaw me at my own Door.

L. Ch. Juſt. Why don't you know Mr. *Oats*?

Grove. My Lord I have ſeen him before.

L. Ch. Juſt. Why this 'tis, ask a Papiſt a queſtion, and you ſhall have a Jeſuitical anſwer.

Mr. *Oats.* I will convince the Court that he does know me by ſome circumſtances. My Lord, in the month of *December* laſt by the Provincials Order——

L. Ch. Juſt. I would ask him firſt whether he does know you or no. Do you know Mr. *Oats*?

Grove. I have ſeen him before.

L.

L. Ch. Juſt. Have you been often in his Company?

Grove. No my Lord.

L. Ch. Juſt. What do you call often? Have you been in his Company ſeven or eight times? (for we muſt deal ſubtilly with ſuch as you are,) have you been in his Company ten times? *Grove.* No.

L. Ch. Juſt. What ſay you to three times?

Grove. Yes, I believe I have ſeen him twice or thrice.

L. Ch. Juſt. Where? Did you never ſee him at *Whitebread's*?

Grove. As I hope to be ſaved and before the Eternal God, I did never.

Mr. *Oats.* I will convince him and the Court, that he does know me and is well acquainted with me: In the month of *December* laſt I went to St. *Omers*, I went firſt to the then Provincials houſe to take my leave of him, and there I met with Mr. *Grove*, and he appointed to come to my Lodging the next morning, near the Red Lyon in *Drury Lane* at one *Grigſon's* houſe, and he was ſo well acquainted with me then, that he had lent me eight ſhillings to hire the Coach.

L. Ch. Juſt. Did you lend him eight ſhillings?

Grove. I did my Lord, I do not deny it.

L. Ch. Juſt. How came you to do it, when it ſeems, if you ſay true, he was a ſtranger to you?

Grove. I thought I ſhould have it again.

L. Ch. Juſt. What of him?

Grove. Yes.

L. Ch. Juſt. Did he deſire you to lend him the eight ſhillings?

Grove. Yes, he did my Lord.

Mr. *Oats.* Then there is one time that he confeſſes he ſaw me.

L. Ch. Juſt. Did you not know him before?

Grove. I had no acquaintance with him, I had ſeen him.

L. Ch. Juſt. How came you then to lend mony to one you had no more acquaintance with?

Grove. I knew I ſhould go along with him to the Coach, and then I thought I ſhould have it again.

L. Ch. Juſt. Mr. *Oats* were you going beyond Sea then?

Mr. *Oats.* Yes my Lord I was.

L. Ch. Juſt. Mr. *Oats* did you pay him that money?

Mr. *Oats.* No my Lord I did not.

L. Ch. Juſt. Did you ask him for the mony, and had you it?

Grove. He did not pay it me.

L. Ch. Juſt. How then were you ſure you ſhould have it?

Grove. He did order me to go to ſuch a one for it.

L. Ch. Juſt. Who was that?

Grove. Mr. *Fenwick*, I think.

L. Ch. Juſt. Then Mr. *Oats* was known to you all, he was no ſuch ſtranger to you as you would make us believe.

Mr. *Oats.* Thus he confeſſes three times he had ſeen me, once before he lent me the mony, another time when he lent it, and the third time the next day. And I will put him in mind of another time when he and I were in Company, where one brought us a Note of what was done in the Houſe of Commons turned into Burleſque, for they uſed to turn all that was done at the Council, or at the Parliament, or at the Courts in *Weſtminſter Hall* into Burleſque, and then tranſlated it into French, and ſent it to the French King, for him to laugh at too. But that by the way. Twice more he drank in my Company, at the Red Poſts in *Wild-ſtreet*, and once more when he owned to me that he fired *Southwark*.

L. Ch. Juſt. Now by the Oath that you have taken, did he own to you that he had fired *Southwark*?

Mr. *Oats.* My Lord, he did tell me that he with three Iriſhmen did fire *Southwark*, and that they had a thouſand Pounds given them for it, whereof he had four hundred pounds, and the other two hundred Pounds a piece.

L. Ch. Juſt. Now for Mr. *Fenwick*, do you know Mr. *Oats*?

Fenwick. Yes my Lord, I do.

L. Ch. Juſt. Were you well acquainted with him? ſpeak plain.

Mr. *Oats.* He was my Father Confeſſor, my Lord.

L. Ch. Juſt. Was he ſo? were you his Confeſſor?

Fenwick.

Fenw. I believe he never made any Confeſſion in his life.

Lord Ch. Juſt. Yes, he hath made a very good one now. Were you of his Acquaintance *Mr. Fenwick*? ſpeak home and don't mince the matter.

Fenwick, My Lord, I have ſeen him.

Lord Ch. Juſt. I wonder what you are made of: Ask a Proteſtant an *Engliſh* one a plain Queſtion, and he will ſcorn to come dallying with an evaſive anſwer.

Fenw. My Lord, I have been ſeveral times in his company.

Lord Ch. Juſt. Did you pay eight Shillings for him?

Fenwick, Yes, I believe I did.

Lord Ch. Juſt. How came you to do it?

Fenwick, He was going to St. *Omers*.

Lord Ch. Juſt. Why, were you Treaſurer for the Society?

Fenwick, No my Lord, I was not.

L. C. J You never had your eight ſhillings again, had you?

Fenwick, It is upon my Book, my Lord, if I ever had it.

Lord. Ch. Juſt. Did *Mr. Oates* ever pay it again?

Fenwick, No, ſure he was never ſo honeſt.

Lord Ch. Juſt. Who had you it of then?

Fen. I am certain I had it not from him; he did not pay it

Lord Ch. Juſt. How can you tell you had it then?

Fenwick, I do ſuppoſe I had it again, but not of *Mr. Oates*.

Lord Ch. Juſt. Had you it of *Ireland*?

Fenwick, I do not know who I had it of, my Lord, nor certainly whether I had it.

Lord Ch. Juſt. Why did you not ask *Mr. Oates* for it?

Fenwick, He was not able to pay it.

Lord Ch. Juſt. Why did you then lay it down for him?

Fenwick, Becauſe I was a Fool.

Lord Ch. Juſt. That muſt be the concluſion always: when you can't evade being prov'd Knaves by anſwering directly, you will rather ſuffer your ſelves to be call'd Fools.

Fenwick, My Lord, I have done more for him then that comes to; for he came once to me in a miſerable poor Condition, and ſaid; I muſt turn again, and betake my ſelf to the Miniſtry to get Bread, for I have eaten nothing theſe two days: And I then gave him five Shillings to relieve his preſent neceſſity.

Mr. Oates, My Lord, I will anſwer to that; I was never in any ſuch ſtraights, I was ordered by the Provincial to be taken care of by the Procurator.

Fenwick, You brought no ſuch Order to me.

Mr. Oates, Yes, *Mr. Fenwick*, you know there was ſuch an Order, and I never received ſo little in my life as five Shillings from you: *I* have received 20, and 30, and 40 Shillings at a time, but never ſo little as five.

Lord C. J. You are more charitable then you thought for.

Fenwick, He told me he had not eaten a bit in two days.

Mr. Oats, *I* have indeed gone a whole day without eating, when *I* have been hurried about your Traſh; but *I* aſſure you, my Lord, *I* never wanted for any thing among them.

Lord Ch. Juſt. Perhaps it was Faſting-day.

L. C. Bar. My Lord, their Faſting-days are none of the worſt

Mr. Oates, No, we commonly eat beſt of thoſe days.

Lord Ch. Juſt. Have you any thing to ask him any of you?

Whitebread, My Lord, will you be pleaſed to give me leave to ſpeak for my ſelf.

Mr. Juſt. Atkins, It is not your time yet to make your full Defence, but if you will ask him any Queſtions you may.

Whitebread, *I* crave your mercy my Lord.

Lord Ch. Juſt. Will you ask him any Queſtions?

Fenwick, Did not you ſay that you were at my Chamber the 24*th.* of *April* with the Reſolve of the Conſult?

Mr. Oates, That Reſolve *I* did then carry to your Chamber.

Fenwick, Then was he himſelf at St. *Omers*.

Lord Ch. Juſt. The difference of *old Stile* and *new Stile* may perhaps make ſome alteration in that Circumſtance.

Whitebread, But, my Lord, he hath ſworn he was preſent at ſeveral Conſultations in *April* and *May*, but from *November* till *June* he was conſtantly at St. *Omers*.

Lord C. J. If you can make it out that he was at St. *Omers* all *April* and *May*, then what he hath ſaid cannot be true.

Ireland, He himſelf hath confeſſed it that he was at St. *Omers*.

Lord Ch. Juſt. If you mean by Confeſſion, what ſtands upon the Evidence he hath given, *I'*le remember you what that was. He ſays he came to St. *Omers* ——

Mr. Oates, Will your Lordſhip give me leave to ſatisfie the Court: In the month of *December* or *November*, *I* went to St. *Omers*; *I* remained there all *January*, *February*, *March*, and ſome part of *April*: Then *I* came over with the Fathers to the Conſult that was appointed the 24*th.* of that month..

Fenwick, Did you go back again?

Mr. Oates, Yes.

Fenwick, When was that?

Mr.

Mr. Oates, In the month of *May*, presently after the Consults were over.

Fenwick, And we can prove by abundance of Witnesses that he went not from St. *Omers* all that month.

Lord Ch. Just. You shall have what time you will to prove what you can; and if you can prove what you say, you were best fix it upon him; for he saith he was here at the Consults in *April* and *May*; if you can prove otherwise pray do.

Fenw. We can bring an Authentick Writing (if there be any such) from St. *Omers*, under the Seal of the Colledge, and testified by all in the Colledge that he was there all the while.

Lord Ch. Just. Mr. Fenwick that will not do; for first if it were in any other Case besides this, it would be no Evidence, but I know not what you cannot get from St. *Omers*, or what you will not call Authentick.

Fenwick, Does your Lordship think there is no Justice out of *England*?

Lord Ch. Just. It is not, nor cannot be Evidence here.

Fenwick, It shall be Signed by the Magistrates of the Town.

Lord Ch. Just. What there?

Fenwick, Yes there.

Lord Ch. Just. You must be tryed by the Laws of *England*, which sends no Piece of Fact out of the Country to be Tryed.

Fenwick, But the Evidence of it may be brought hither.

Lord Ch. Just. Then you should have brought it. You shall have a fair Tryal; but we must not depart from the Law or the way of Tryal, to serve your purposes. You must be Tryed according to the Law of the Land.

Mr. Just. Atkins, Such Evidences as you speak of we would not allow against you; and therefore we must not allow it for you.

Whitebread, May this Gentleman be put to this, to produce any two Witnesses that see him in Town at that time.

Mr. Oates, I'le give some Circumstances and what Tokens I have to prove my being here: Father *Warner*, Sir *Tho. Preston*, Father *Williams*, and Sir *John Warner*, they came hither with me from St. *Omers*, there was one *Nevil*, &c. I cannot reckon them all.

Lord Ch Just. You have named enough.

Mr. Oates, But to convince them, there was a Lad in the House that was got to the end of his Rhetorick; this Lad was Whipt and turned out of the House, and had lost all his

Money

Money: Father *Williams* did Re-imburſe this Lad in order to his bringing Home, I think the Lads name was *Hilſley*, or ſome ſuch name. And we came up to *London* together.

Lord Ch. Juſt. What ſay you to this Circumſtance?

Whitebread, My Lord, he knew that two ſuch came to Town, but he was not with them.

Lord Ch. Juſt. You are now very good at a Negative I ſee, how can you tell that?

Whitebread, My Lord, he could not come.

Lord Ch. Juſt. How can you tell he could not come?

Whitebread, I can tell it very well, for he had no Order to come, nor did come.

L. C. J. How can you undertake to ſay that he did not come?

Whitebread, Becauſe he had no order to come.

L. C. J. Is that all your reaſon? Where were you then?

Whitebread, I was here.

Lord Ch. Juſt. How do you know he was not here?

Whitebread, He had no Orders to come.

Lord Ch. Juſt. Have you any other Circumſtance *Mr. Oates* to prove that you were here then?

Mr. Oates, My Lord, when I came to *London*, I was ordered to keep very cloſe, and I lay at *Mr. Groves*'s Houſe; let him deny it if he can, I'le tell you who lay there then.—

Grove, Did you ever lye at my Houſe?

Mr. Oates, There lay a Flaxen Hair'd Gentleman, I forgot his name: But I'le tell you who lay there beſides; that is *Strange*, that was the late Provincial.

Lord. Ch. Juſt. Did *Strange* ever lye at your Houſe?

Grove, Yes, my Lord, he did.

Lord Ch. Juſt. Did he lye there in *April* or *May*?

Grove, No, he did not in either of them.

Lord Ch. Juſt. You will make that appear.

Grove, Yes, that I can by all the Houſe.

Lord Ch. Juſt. Have you any more Queſtions to ask him? If you have, do: If you can prove this upon him, that he was abſent, and not in *England* in *April* or *May*, you have made a great Defence for your ſelves, and it ſhall be remembred for your advantage when it comes to your turn: In the mean time, if you have no more to ſay to him, call another Witneſs. Let *Mr. Oates* ſit down again, and have ſome Refreſhment.

Mr. Serj. Baldwin. We will now call *Mr. Bedlow*, my Lord.

Then

Then Mr. Bedlow *was ſworn.*

Mr. Serj. *Baldwyn.* Mr. *Bedlow*, Pray do you tell my Lord and the Jury, what you know of any deſign of killing the King, and by whom.

Mr. *Bedlow.* My Lord, I have been five years almoſt employed by the Society of *Jeſuits* and the Engliſh *Monks* in *Paris* to carry and bring Letters between them from *England* and to *England*, for the promoting of a Deſign tending to the ſubverſion of the Government, and the extirpating of the Proteſtant Religion, to that degree (which was always concluded on in all their Conſults wherein I was) that they would not leave any Member of any Heretick in *England*, that ſhould ſurvive to tell in the Kingdom hereafter, that there ever was any ſuch Religion in *England* as the Proteſtant Religion——

Here Whitebread *would have interrupted him.*

My Lord, I am ſo well ſatisfied in their denials, that I cannot but believe they who can give a Diſpenſation, and have received the Sacrament to kill a King and deſtroy a whole Kingdom, do not ſcruple to give a Diſpenſation for a little Lye to promote ſuch a deſign, for ſo much as this expiates any Lye or greater Crime.

Sir *Cr. Levines.* Pray, Sir, will you be pleaſed to tell your whole knowledge concerning the Priſoners at the Bar.

Mr. *Bedlow.* The firſt Letter I carried was from Mr. *Harcourt*, at his Houſe next door to the Arch in *Dukes-ſtreet.* He hath been Procurator for the *Jeſuites* about ſix years. He employed me firſt, and ſent for me over, for I was then Lieutenant in *Flanders*, and coming home to receive my Pay that was due to me——

Lord Chief Juſt. How long is it ago?

Mr. *Bedlow. Michaelmas* laſt was four years, when I came to *Dunkirk* I went to viſit the Engliſh Nunnery there, and the Lady Abbeſs finding me very plyable and inclineable, made very much of me, and I did adhere to her. She kept me ſix weeks in the Covent, and afterwards when I went away, recommended me

to Sir *John Warner*, as an Instrument fit to be employed in the carrying of Letters, or doing any thing that would promote the design against *England*. He kept me at St. *Omers* a Fortnight, and after sent me to Father *Harcourt* to be instructed in my employment. It was then Winter, the next Spring he sends me into *England* with divers Letters, whereby Mr. *Harcourt* I was employed to carry several Letters to *Morton* and *Doway*, and other places. That Summer I was sent into *England* without an Answer: But afterwards in (76,) which was the next Summer, I was to carry another Paequet of Letters to the *Monks* at *Paris*, who sent it to other English *Monks* in *France*.——

L. Chief. Just. Who sent that Pacquet of Letters in 76?

Mr. Bedlow. I had it from Mr. *Harcourt*, and it was written by *Harcourt*, *Pritchard* and *Cary*.

L. Chief Just. To whom?

Mr. *Bedlow.* To the English *Monks* in *France*, and in it there was a Letter to *Le Chese*. Upon the receipt of these Letters at *Paris Le Chese* had a Consultation with the *Monks* and a French Bishop or two about them. I did not then speak French enough to understand what it was they said, but it was interpreted to me by Mr. *Stapleton* an English *Monk*, who told me, that it was a Letter from my Lord *Bellasis*, and others of the Catholick Religion, English Gentlemen that were Contrivers of the Plot here to satisfie them in what state things stood in *England* as to Popery. I was sent back again with a Pacquet of Letters directed to Mr. *Vaughan* of *Courtfield* in *Monmouthshire*.

L. Chief Just. From whom was that?

Mr. *Bedlow.* From the English *Monks* at *Paris*. From that Consultation I went to *Ponthois*, I there receiv'd other Letters to carry into *England*. I had a course to open their Letters, and read what was in them; and in those Letters was contained, That the Prayers of that House were for the prosperity of that Design, and they would not fail to be at the Consultation at ... of *Warwick-shire Gentlemen*. I fell sick at *Monmouth*, and Mr. *Vaughan* sent to me a *Jesuite* to Confess me; but I was well before he came, and so was not Confess'd by him. I now come to the later times.

L. Chief Just. You must speak it over to the Jury, that they and the Prisoners may hear you.

Mr. *Bedlow.* The 25th of *May* 77 which was last year, I

was

was sent over with another Packquet of Letters. I had no Letters of consequence forward, and therefore did not call then at *Wotton*, but I called upon the Lady Abbess at *Dunkirk*, and I went thence to *Bruges* and to *Ghent*, where I had some Letters for the English Nuns, which I delivered to them. When I came to *Douay*, I found there that the *Monks* were gone, that was *Sheldon*, *Stapleton*, and *Latham*, but the Letters were directed to *Paris*, and therefore I made haste, and at *Cambray* I overtook them. And the Letters were to give an account of the Consultation held in the Gallery at *Somerset-House*: All tending to the destruction of the Protestant Religion, and killing the King, but I do not think fit to declare here who were the persons that were present at that Consultation. At *Cambray* they were very joyful that there was so good a proceeding in *England*. At *Paris* when the Letters were shewed, there was a Letter written in a Language which I did not understand, but, as I was told, in that Letter they were charged in *Paris* by my Lord *Bellasis*, that they did not proceed according to their promise to them in *England*; but, said *Stapleton* to me, My Lord *Bellasis* nor the Society in *England* need not to write thus to Us, for we are not so backward, but that we can lend Men, and Money, and Arms too, and will upon occasion. From thence they sent me to *Spain* with a Letter to an Irish Father: I did overtake him at *Sa Mora*. From thence I went with another Letter to the Rector of a Colledge of Irish *Jesuites* in *Salamanca*. By their contrivance I was sent to St. *Iago* in *Spain*, where was another Colledge of Irish *Jesuites*: there I stayed till I had an Answer to Sir *William Godolphin*; and when I had the Answer to that Letter, I went for the Letter from the Rector at *Salamanca*. The *Jesuites* there told me, they would take care to send their own Answer another way. And when they had made me that promise, I came away for *England*, and landed at *Milford Haven*. All this reaches to none of these persons in particular. But what I now shall say shall be about them, only it was necessary I should speak of what I have said.

L. Chief Just. The meaning of all this is only to shew the Jury and satisfie them, that he was an Agent for these men, and hath been employed by them for five years together, and he names you the particular places whither he hath been sent, to shew you

the

the Reaſons of his Knowledge in this matter, and upon what account he comes to be informed of this Deſign.

Mr. *Bedlow.* Having receiv'd the News of that Country, I did there take Water, and landed again at *Penſans*, and when I came to *London* I gave the Letter to Mr. *Harcourt*: what was in that Pacquet I cannot particularly tell, for I was not ſo inquiſitive as to look into the Contents of it, but I know it was tending (as all the reſt did) to the carrying on of this Plot. Afterwards I was employed by Mr. *Harcourt* and Mr. *Coleman* to go to ſome parts of *England* to communicate the Letters to ſome of the Popiſh party.

L. Chief Juſt. Now turn to the Jury.

Mr. *Bedlow.* The Summer was paſt in the doing of that. In the beginning of *Auguſt* laſt there was a Conſultation and a cloſe one at Mr. *Harcourts* Chamber, ſo as that they did not permit me to know any thing of it, I went out of Town for a Fortnight, and when I returned, I underſtood there had been ſuch a meeting, I charged them with their Privacy in it, and asked what was the private deſign of that Conſultation; they ſaid, it was ſomething I ſhould know in time: That it did not ſignifie much at preſent, but in time I ſhould know it. But then I underſtood by *Pritchard*, who was more my Confident than any of the reſt: That it was a Deſign to kill the King: That Mr. *Pickering* and *Grove* had undertaken it a great while, and that they had been endeavouring a long while to bring it to paſs.

Fenwick. Where was this Meeting, and when?

Mr. *Bedlow.* Laſt *Auguſt* at *Harcourts* Chamber.

Fenwick. Who were preſent there?

Mr. *Bedlow.* Be pleaſed to give me leave to go on, I'le tell you by and by. Then I underſtood, as I ſaid, that it was to kill the King, but that *Pickering* and *Grove* failing of it, they had hired four Ruffians that were to go to *Windſor*, and to do it there, and that if I would come the next day, I ſhould hear from Mr. *Coleman* the effect. When I came there I found Mr. *Coleman* was gone, but *Pritchard* ſaid there were ſome ſent to *Windſor*, and that *Coleman* was going after them, and that he had givn a Meſſenger a Guinney that was to carry the Money to them.

And

And he would presently be after them, for fear they should want Opportunity to effect their Designe. Then I discours'd them, why they kept their Designe so long hid from me? They said, It was a Resolve of the Society, and an Order of my Lord *Bellasis*, that none should know it but the Society, and those that were Actors in it. I seem'd satisfy'd with that Answer at present. About the latter End of *August*, or the Beginning of *September*, (but I believe, it was the latter End of *August*) I came to *Harcourt*'s Chamber, and there was *Ireland*, and *Pritchard*, and *Pickering*, and *Grove*.

Lord Chief Just. What Part of *August* was it?

Mr. *Bedlow*. The latter End.

Lord Chief Just. Do you say it Positively, That it was the latter End of *August*?

Mr. *Bedlow*. My Lord, It was in *August*; I do not swear Positively to a Day.

Lord Chief Just. But you say, It was in *August*.

Ireland. And that we were there present?

Mr. *Bedlow*. You were there, and Mr. *Grove*, and Mr. *Pickering*.

Ireland. Did you ever see me before?

Mr. *Bedlow*. You were present there, and *Grove*, and *Pickering*, and *Pritchard*, and *Fogarthy*, and *Harcourt*, and *I*.

Lord Chief Just. What did you Talk of there?

Mr. *Bedlow*. That the *Ruffians* missing of Killing the *KING* at *Windsor*, *Pickering* and *Grove* should go on, and that *Conyers* should be joyned with them; and that was to Assassinate the *KING* in His Morning-Walks at *New-Market*: And they had taken it so strongly upon them, that they were very eager upon it: And Mr. *Grove* was more forward than the Rest: And said, Since it could not be done Clandestinely, it should be attempted Openly. And that those that do Fall, had the Glory to dye in a Good Cause. But (said he) if it be discovered, the Discovery can never come to that Heighth, but their Party would be strong enough to bring it to pass.

Lord Chief Just. And you swear, *Ireland* was there?

Mr. *Bedlow*. He was there, my Lord.

Lord Chief Just. And heard all this?

Mr. *Bedlow*. Yes, my Lord; and so did *Grove*, and *Pickering*, and the Rest.

Ireland. My Lord, I never ſaw him before in my Life.

Lord Chief Juſt. What was the Reward that you were to have, for your Pains in this Buſineſs?

Mr. *Bedlow.* My Lord, The Reward that I was to have (as it was told me by *Harcourt*) was very conſiderable: I belong'd to one particular Part of the Society. There are others; and I preſume, they each kept their particular Meſſengers.

Lord Chief Juſt. What was Mr. *Grove* to have?

Mr. *Bedlow.* *Grove* was to have Fifteen Hundred Pound, if he Eſcaped, and to be a continual Favourite, and Reſpected as a great Perſon, by all the Church.

Lord Chief Juſt. What was *Pickering* to have?

Mr. *Bedlow.* He was to have ſo many *Maſſes*, I cannot preſume to tell the Number; but they were to be as many, as at Twelve Pence a *Maſs* ſhould come to that Money: Theſe *Maſſes* were to be Comunicated to all the *Jeſuites* beyond the Seas, that when he had done it, he might be ſent away immediately.

Lord Chief Juſt. What can you ſay of any of the Reſt.

Mr. *Bedlow.* My Lord, I do not Charge any more but them Three.

Lord Chief Juſt. What ſay you to *Whitebread?*

Mr. *Bedlow.* They have ſaid, That he was very Active in the *Plot*; but I know it not.

Lord Chief. Juſt. That is not any Evidence againſt him. What can you ſay, as to *Fenwick?*

Mr. *Bedlow.* No more than I have ſaid, as to Mr. *Whitebread*: I only know him by Sight.

Lord Chief Juſt. Then he Charges only theſe Three upon Oath, *Ireland*, *Pickering*, and *Grove*.

Ireland. Do you know Sir *John Warner?*

Mr. *Bedlow.* I know Father *Warner* at St. *Omers*, and Sir *John Warner* at *Wotton* by St. *Omers*.

Ireland. He named Sir *John Warner* to be at *Paris*.

Mr. *Bedlow.* It was *Sheldon*, I ſpoke of (my Lord) at *Paris*.

Ireland. At leaſt, you are certain, that I was preſent at that Conſultation?

Mr. *Bedlow.* Yes; I am certain, you vvere there.

Ireland. Can you produce any Witneſs, that you ever ſpoke to me before in your Life.

Mr. *Serj. Baldwyn.* Do you know any thing of Mr. *Whitebread's* being preſent at any of the Conſults?

Mr.

Mr. *Bedlow.* I do know, that Mr. *Whitebread*, and Mr. *Fenwicke* both, have been ſeveral times at Conſultations; but I do not know, what the Particular Reſolves of thoſe Conſultations were.

Lord Chief Juſt. Did you ever hear them ſpeak any thing in Particular?

Mr. *Bedlow.* No, I have never heard them ſpeak any thing in Particular.

Lord Chief Juſt. Where have you ſeen Mr. *Fenwicke?*

Mr. *Bedlow.* I have ſeen Mr. *Fenwicke* at Mr. *Harcourt's* Chamber, and I have often heard him talkt of; and it hath been told me, That nothing was done, without Mr. *Fenwicke.*

Whitebread. Are you ſure, you know us?

Mr. *Bedlow.* I do not ſay, You are the Man that employed me: You are the Man I was leaſt acquainted with, of all the Society; but I have ſeen you there.

Ireland. Can you bring any one, that can Teſtify it?

Lord Chief Juſt. He muſt then have brought one of your ſelves; and it may be, he cannot produce any ſuch one.

Ireland. Nor no one elſe, except ſuch a *Knight* of the *Poſt*, as Mr. *Oats.*

Lord Chief Juſt. You muſt be Corrected for that, Mr. *Ireland*: You ſhall not here come to Abuſe the *KING's Evidence.* Nothing appears to us, that Reflects upon Mr. *Oat's* Teſtimony; and we muſt not ſuffer any ſuch ſort of Language.

Mr. *Juſt. Atkins.* Take off his Credit as much as you can by Proof, but you muſt not Abuſe him by ill Language.

Mr. *Finch.* Can you tell the *Court*, and the *Jury*, when it was, that by Agreement *Grove* ſhould have the Fifteen Hundred Pound?

Mr. *Bedlow.* He was to have it put into a Friends Hands.

Lord Chief Juſt. Do you know that Friends Name?

Mr. *Bedlow.* No, my Lord, I do not.

Mr. *Finch.* Do you know, when that was to be delivered out to him?

Mr. *Bedlow.* As to the particular Time of their Agreement, I do not know it.

Mr. *Finch.* But this he ſays, That when the Agreement was made, he was to have Fifteen Hundred Pound.

Lord Chief Juſt. And he ſays this, That *Ireland* was in *Auguſt* laſt, with *Pickering* and *Grove*, and others, at a Conſult; where he was alſo.

Ireland. But what if I prove, I was not in *London* all *August* laſt, from the Beginning to the End?

Lord Chief Juſt. You heard them talk of this Matter in *Auguſt*, at *Harcourt's* Chamber, you ſay: What, did they talk of it, as a Matter they had agreed?

Mr. Bedlow. My Lord, They brought it in, as being bauked in their Deſigne of Killing the *KING* at *Windſor*; and becauſe that had not taken the Effect they intended it, they ſhould have *Conyers* joyned to them, to do it at *New-Market*.

Mr. Finch. Did they tell you when, and where the Agreement was made?

Lord Chief. Juſt. No, he ſpeaks not of that; but they talkt of the Failot at *Windſor*: And therefore they did conclude, that *Conyers* ſhould be joyned to them, to do it at *New-Market*.

Mr. Bedlow. Yes, my Lord.

Lord Chief Juſt. Have you any more to ſay?

Mr. Bedlow. My Lord, I would only ſay this; If I had any to prove what I ſay, they muſt be Parties as well as theſe Perſons.

Ireland. My Lord, I will prove, That I was not in Town in *Auguſt* all the Month, by twenty Witneſſes: I'le bring thoſe that ſaw me in *Stafford-ſhire*, and ſpoke with me all *Auguſt*.

L. Ch. Juſt. Have you any more to ask him?

Whitebread. No.

Mr. Serj. Baldwyn. Swear *Mr. James Bedlow*. And he was ſworn.

Ireland. He does ſay, That he was Familiar with me, and ſeveral other Perſons here; and therefore, I deſire he may ſpecify the Place, and the Company.

Mr. William Bedlow. I do not ſay, there was a Familiarity; for I was a Stranger to that Part of the Society.

L. Ch. Juſt. You muſt take him right, *Mr. Ireland*; he hath not ſaid, that he was of your Familiar Acquaintance.

Mr. Bedlow. I have ſeen you often *Sir*.

Ireland. Where? *Mr. Bedlow.* At *Monſieur Le Faire's*.

Ireland. Where was that? *Mr. Bedlow.* At *Somerſet*-Houſe.

Ireland. Was there any one preſent beſides?

Mr. Bedlow. Yes, ſeveral other *Prieſts* and *Jeſuites* of *Somerſet-Houſe*.

Ireland. Name one? *Mr. Bedlow.* Seignior *Perrare*.

Ireland. You ſay, you ſaw me and *Perrare* together at *Somerſet-Houſe*. I ſuppoſe, if Seignior *Perrare* may be brought hither ——

Mr. Bedlow. My Lord, *Perrare* is a *Prieſt* in Orders; and without doubt, is in this Buſineſs.

Lord

L. C. J. If he did ſee you, he muſt ſee you in ſuch Company as you keep, they were Prieſts and *Jeſuits*, and of your own Religion; and we know very well what Anſwers we are like to be put off with by men of your own Perſuaſion at this time of day.

Ireland. My Lord if no body's Oath can be taken that is of another Perſuaſion than the Church of England, it is hard.

L. C. J. Pray mind, you do not object ingeniouſly: for you ſay, This witneſs ſwears he ſaw me in ſuch company, why does he not produce them to teſtifie it? Why? He does not come prepared to produce them; if he ſhould, we know well how you are concerned one for another at this time; and we can hardly expect they ſhould make true Anſwers. But notwithſtanding, if you will produce this Father *Perrare*, (he cannot be ſworn becauſe 'tis againſt the Law, but) his Teſtimony ſhall be heard, and let it go as far as it can.

Mr. *Bedlow.* If your Lordſhip pleaſes, my Lord, I would convince him that he does know me. Have you not been, Sir, at *Somerſet-Houſe*?

Ireland. Yes, I have.

Mr. *Bedlow.* Do you know *le Fair* and *Perrare*?

Ireland. Yes, but I never ſaw you in their Company in *Somerſet-Houſe* in my life, above once or twice.

Mr. *Bedlow.* Yes you have twice at *le Fair's*.

L. C. J. Where is that *le Fair* you would do well to produce him?

Mr. *Bedlow.* My Lord, he is gone away, and is one againſt whom the King's Proclamation is out.

L. C. J. You keep ſuch Company as run away and then you require him to produce them, whom the King's Proclamation cannot bring in

Ireland. I keep none but honeſt Company.

Mr. *Bedlow.* If your Lordſhip pleaſes, I have one thing more that is very material to ſpeak, at the ſame time that there was a diſcourſe about theſe Three Gentlemen's being to deſtroy the King at *New-Market*, at the ſame time there was a diſcourſe of a deſign to kill ſeveral Noble Perſons, and the particular parts aſſigned to every one. *Knight* was to kill the Earl of *Shaftesbury*,

Prichard, the Duke of *Buckingham*, *Oneile* the Earl of *Offory*, *Obrian*, the Duke of *Ormond*.

L. C. J. Well, will you have any more of this?

Mr. *Finch.* You ſay, you ſaw Mr. *Ireland* ſay Maſs, where did you ſee him?

Mr. *Bedlow.* Not Mr. *Ireland*, but Mr. *Fenwick*, I have ſeen him ſay Maſs, and at *Wild-Houſe*.

Mr. *Oates.* My Lord, I did omit a Conſult wherein there was a deſign laid of taking away the Duke of *Ormond's* life, and of a Rebellion that was to be raiſed in *Ireland*.

My Lord, in the Month of *January* laſt, there came Letters from Arch Biſhop *Talbot* to *London*, which Letters were peruſed by *Fenwick*, and *Ireland*, and *Whitebread*, and when they were peruſed, they were ſent and communicated to the Fathers at St. *Omers*. The Contents of thoſe Letters were thus, That the Catholicks had a fair proſpect of effecting their Deſigns in the Kingdom of *Ireland*. And this Letter was incloſed in a Letter ſigned by *Whitebread*, *Ireland*, *Fenwick*, and others (I name no Man's name that is not here.)

L. C. J. You ſaw the Letter?

Mr. *Oates.* Yes, I did ſee it, and read it, wherein they did give thanks unto God, that he was pleaſed to proſper their deſigns ſo fairly in *Ireland*; and withall they did ſay, That they would not leave a ſtone unturned, to root out that abominable Hereſy out of that Kingdom. Now what that abominable Hereſy was, I have nothing but a Conjecture.

L. C. J. We all know what that is well enough, there needs no proof of that.

Mr. *Oates.* In the Month of *Auguſt*, *Fenwick*, a little before he went to St. *Omers*, on the One and Twentieth of *Auguſt*, (as I think it was) that week that *Bartholomew-Fair* begun on (as I take it) he was then going to fetch home the Provincial, and to carry ſome Students with him, and he went unto St. *Omers* the *Monday* following; but then there was a Conſult and at that Conſult, *Fenwick* did conſent to the contrivance of the Death of the Duke of *Ormond*, and for the Rebellion that was to be raiſed in *Ireland* after his Death. And he did approve of the Four *Jeſuits* that were to kill my Lord of *Ormond*, and did conſent

ſent to ſend *Fogarthy* down to the Arch-Biſhop of *Dublin*, in caſe the Four good Fathers did not hit the buſineſs. Mr. *Whitebread*, my Lord, did conſent when he came over as appears by their Entry-Books. For there came a Letter from him Dated as from St. *Omers*, but I concluded it did not come from thence, becauſe it paid but Two-pence.

Whitebread. Who was it that writ that Letter?

Mr. *Oates.* My Lord, this Letter was Dated as the latter part of *Auguſt*, and Dated as from St. *Omers*, but the Poſt mark upon it was but Two-pence, to be paid for it; ſo that I do conclude thence Mr. *Whitebread* was then at Eſquire *Leigh's* houſe in But in that Letter he did like the Propoſal that was made about killing the Duke of *Ormond* in that Conſult, and the Letter was ſigned with his own hand.

L. C. J. I would gladly ſee that Letter.

Mr. *Oates.* If I could ſee it, I could know it.

L. C. J. You have not that Letter?

Mr. *Oates.* No, but they kept a Book wherein they Regiſtred all their Reſolutions, and there it was entred.

L. C. J. You upon your Oath ſay, That he as Superiour of them did keep a Book, wherein they Regiſtred all their Conſults.

Mr *Oates.* Yes my Lord.

L. C. J. You would do well to ſhew us your Book, Mr *Whitebread.*

Whitebread. We never kept any.

Mr. *Oates.* The Conſult did, for tho the Superiour have an abſolute power over the ſubject, yet they never do any thing of Conſequence without the Conſult. And this Book was kept by the Superiour, and never opened but at the Conſult, and therein all the paſſages were Regiſtred.

L. C. J. Produce your Book, and we ſhall ſee whether you cannot catch Mr. *Oates* in ſomething or other.

Mr *Bedlow.* My Lord, that Book I have ſeen, and therein all their Conſults are Regiſtred.

L. C. J. Was there Books kept by them?

Mr. *Bedlow.* Yes, my Lord, All the Conſults did keep Books and Mr. *Langhorne* was the Perſon that Regiſtred all into one.

L. C. J. If a Hundred Witneſſes ſwear it, they will deny it. Well, will you have any more?

Mr. *S. Baldwyn.* My Lord we will now call Mr. *James Bedlow*, this Gentleman's Brother to ſhew you, That theſe ſort of Perſons did reſort to him frequently.

L. C. J. Are you ſworn Sir?

Mr. *James Bedlow.* Yes my Lord, I am.

L. C. J. Then let me ask you one ſhort Queſtion. Do you know Mr. *Ireland*?

Mr. *J. Bedlow.* No.

L. C. J. Do you know *Pickering* or *Grove*?

Mr. *J. Bedlow.* I have heard of them.

L. C. J. Did your Brother know any thing of them?

Mr. *J. Bedlow.* As for the Conſpiracy of killing the King, I know nothing of it; but about his knowledg of Prieſts and *Jeſuits*, and the Converſe he had beyond Sea, that I can ſpeak to. And I have very often heard theſe mens names named.

L. C. J. In what nature did he talk of them?

Mr. *J. Bedlow.* I know nothing of the Plot, and as for any deſign I knew not what my Brother knew, but I have heard him talk of them.

L. C. J. How did he talk of them?

Mr. *J. Bedlow.* He mentioned them as his Acquaintance, the *Jeſuits* there did ask him Queſtions about them.

L. C. J. And did it appear to you they were of his Acquaintance.

Mr. *J. Bedlow.* But I underſtood nothing of the Plot or Deſign, by the Oath I have taken.

L. C. J. But did he ſpeak as if he knew any of them?

Mr. *J. Bedlow.* For any certain knowledg that my Brother had of them I cannot ſpeak, but I have often heard him talk of them as people I thought he knew.

Mr. *Finch.* Do you know, that when he came over from beyond Sea, that his Lodging was frequented by any, and by whom?

Mr. *J. Bedlow.* Yes, there were many Prieſts and *Jeſuits* came to him.

Mr *Finch.* Did your Brother receive any Mony from them?

Mr. *J. Bedlow.* Yes my Lord, I have fetch'd many ſcore of Pounds for my Brother from them.

L. Chief.

L. C. J. The Uſe, Gentlemen, that the Kings Council make of this Evidence, is only to ſhew, That his Brother Mr. *Bedlow* was converſant in their affairs, in that he hath received many a ſcore of pounds in the managing of their buſineſs.

Sir *Cr. Levines*, Pray, from whom had your Brother that Money?

Mr. *J. Bedlow*, I have proved that from the Goldſmiths themſelves that paid it, before the Duke of *Monmouth*, my Lord Chancellor, and Lord Treaſurer.

Mr. *Finch*, Have you received any conſiderable ſum at a time?

Mr. *J. Bedlow*, Yes, I have.

Mr. *Finch*, How much?

Mr. *J. Bedlow*, Fifty or Threeſcore pounds at a time.

Mr. *Finch*, Of whom?

Mr. *J. Bedlow*, Of Prieſts and Jeſuits.

Mr. *Finch*, For whom?

Mr. *J. Bedlow*, For my Brother?

L. C. J. Will you have any more Evidence?

Mr. *Serj. Baldwyn*, Yes my Lord, The next evidence we produce, is concerning a Letter; there was a Letter written by one Mr. *Peter* that is now a Priſoner to one *Tonſtall* a Jeſuit, and this Letter does mention, That there was a meeting appointed by order of Mr. *Whitebread* to be at *London*.

L. C. J. What is that to them, and how come you by it?

Mr. *Serj. Baldwin*, *Peters* is now in Priſon for things of this nature; and you have heard of one *Harcourt*, and out of his Study this Letter was taken.

Mr. *W. Bedlow*, My Lord, may I not have liberty to withdraw, my head akes ſo extreamly, I cannot endure it.

L. C. J. Mr. *Bedlow*, you may ſit down, but we can't part with you yet.

Ireland, I deſire my Lord, that his Brother may be asked, how long he had known me.

L. C. J. Can you recollect by the diſcourſes you have heard, how long he might have known *Ireland*?

Mr. *J. Bedlow*, No my Lord, it was out of my way.

L. C. J. But he did talk of *Ireland*?

Mr. *J. Bedlow*, Yes, my Lord, he did.

Ireland, As being where, in what place?

Mr. *J. Bedlow*, I cannot tell.

Ireland, He named one place Three years ago, it was at *Paris*.

L. C. J. But he does not say that you were there, but that you were familiarly talk'd of there; so that the meaning is, they were acquainted with you: and this is only brought to shew, that it is not a new-taken-up thing by Mr. *Bedlow*, though you seemed never to have known any such man; yet he swears, saith he, I have heard such persons talkt of as my Brothers acquaintance.

Ireland, If his Brother had talkt of me three years ago, why then he must have known me three years ago.

L. C. J. I'le ask him that question: How long is it since you knew him?

Mr. *W. Bedlow*, I have known him but since *August* this same last Summer; but my Lord I talkt five, and four years ago of several English Monks and Jesuits that were then at *Rome*, that I never knew in my life.

L. C. J. His answer then is this, saith his Brother, I have heard him talk of them three years ago; I then asked *Bedlow*, how long he had known them? saith he, I did not know them three years ago, though I did talk of them three years ago; for we have talkt of many that we never saw in our lives: so it seems he had occasion to make use of your names frequently, and join them with those of some he knew better: But he never knew you till *August* last; but he did discourse of you three years ago, as known for such sort of persons.

Ireland, He must hear some-body speak of us, as being in some place or another.

Mr. *W. Bedlow*, I will satisfie you in that, We talk of some now in *England*, that are to be sent a year hence.

L. C. J. If you can produce but *Harcourt* and *le Faire*, they will do you great service now.

Mr. *W. Bedlow*, My Lord, as for example, Father *Pritchard* is Confessor to such a Gentleman in *England* now this year; a year hence we must send such a one hither, and he must go back.

back. And we may talk of that perſon as in *England*, two years before.

L. C. J. You need not trouble your ſelves about that. Mr. *Ireland*, you ſhall have a fair Tryal, but you will not have cunning or art enough to deceive the Jury, nor will Mr. *Whitebread* have Learning enough to baffle the Court.

Then Mr. W. Bedlow *and his Brother withdrew.*

Mr. Serj. Baldwyn, My Lord, The next Evidence that we ſhall give, as I ſaid, is a Letter from one *Peters* to one *Tonſtall*, and this we will bring home to *Mr. Whitebread*, for it is an invitation to be at the Conſult held in *London* the 24*th* of *April*; and it was written about that very time, to wit, the 3*d* of *April*. It was written from *London*, and it mentions, that *Mr. Whitebread* did fix the meeting at that time. We'll tell you how we came by the Letter, *Mr. Harcourt* who is one of the principal perſons here, and at whoſe Houſe was the meeting you heard of, he himſelf is fled away, when they came to look after him upon the diſcovery that was made: And *Mr. Bradley*, who was the Meſſenger to ſeize upon him, did according to direction ſearch his Study, and did there find this Letter, which we conceive, my Lord, to be very good Evidence; this *Harcourt* being a party, and one at whoſe Houſe the laſt meeting was, and others was. We do conceive a Letter from one of that party, bearing date about the ſame time, concerning *Mr. Whitebreads* Summons, who was Maſter of the Company, is very good Evidence againſt them.

L. C. J. If you had found it in *Mr. Whitebread's* cuſtody, you ſay ſomething.

Mr. Juſtice Bertie, My Brother puts it ſo: We find a Letter directed to *Mr. Whitebread*, let the matter of it be what it will, it is found among *Harcourts* Papers.

Mr. Serj. Baldwyn, No my Lord, we find a Letter from one Mr. *Peter's* now a Priſoner directed to Mr. *Tonſtall* concerning the Conſult ſummoned by *Whitebread*, and this we find in *Harcourts* poſſeſſion.

L. C. J. I

L. C. J. I can't understand how this may affect Mr. *Whitebread.*

Mr. *Finch*, Pray my Lord, if your Lordship please, this is the use we make of this Letter; we do not produce it as another Evidence of this design, but to fortify that part of the Evidence which hath already been given, That there was a Consult summoned at that time, and to be held with all the privacy that could be, to prevent discovery. And this is the paper, that we find in the Custody of *Harcourt*, one of the Conspirators who is fled for it.

L. C. J. Look, you Mr. *Finch* if, you use it not against any particular person, but as an Evidence in general that there was a Plot amongst them, you say right enough; but it cannot be Evidence against any one particular person of the Prisoners at the Bar.

Mr. *Finch*, My Lord it can affect no particular person; but we only use it in the general, and We pray it may be read.

L. C. J. Gentlemen of the Jury, before you hear the Letter read, I would say this to you. Let them have fair play, whatsoever they mete unto others, we will shew them Justice. They shall have as fair play upon their Tryals as any persons whatsoever. The thing that is offered to be given in evidence, is a Letter written by one *Peters* a Prisoner for this Plot, and directed to one *Tonstall* a *Jesuit*, and this is found in *Harcourts* Chamber, a Priest that is fled, and one whom the King hath Commanded to render himself by His Proclamation; but he does not. Now in that Letter there is a discourse of a Design and Plot on foot. This cannot be evidence to charge any one particular person of these; but only to satisfy you and all the world, that those Letters and Papers that are found amongst their own Priests, do fortify the Testimony of Mr. *Oates*, that there is a general Plot: 'tis not applied to any particular person.

Mr. *Oates*, The day before the Consult met, Mr *Whitebread* did ask Mr. *Peters* whether he had summoned the Consult according to his direction. Mr. *Peters* told him yes, he had writ into *Warwick-shire* and *Worcester-shire*.

White-

Whitebread, When was this?

Mr. *Oates*, The day before the Conſult met.

Whitebread. Did you hear me ask Mr. *Peters?*

Mr. *Oates*, Yes, I did hear you; and I did hear him ſay he had done it. Now my Lord this Letter that is found in *Harcourts* ſtudy ſhews, that Mr. *Whitebread* had directed Mr. *Peters* in this Conſult.

Mr. *S. Baldwyn*, Pray ſwear Sir *Tho. Doleman* to ſhew how he came by it. Which was done.

Mr. *S. Baldwyn*, Sir *Tho. Doleman*, What do you know of this Letter.

Sir *Tho. Doleman*, This Letter in my hand was taken amongſt *Harcourts* papers, in a great Bag of papers; and ſearching them I did find this Letter amongſt the reſt.

Then the Letter was ſhewn to Mr. *Oates*.

L. C. J. Is that Mr. *Peter's* hand?

Mr. *Oates*, Yes my Lord, it is.

L. C. J. Were you acquainted with his hand?

Mr. *Oates*, Yes my Lord, I have often read it in Letters.

L. C. J. Do you know *Tonſtall?*

Mr. *Oates*, My Lord, I do not know him by that name; If I did ſee him I perhaps might: I know men better by their faces.

Sir *C. Levings*, Pray read it.

Cl. of the *Court*, This is Dated *February* 23. (77.) And ſuperſcribed thus (Theſe for his Honoured friend Mr. *William Tonſtall* at *Burton.*)

Honoured dear Sir,

I *Have but time to convey theſe following particulars to you.* Firſt, *I am to give you notice, that it hath ſeem'd fitting to our Maſter Conſult, Prov. &c. to fix the* 21ſt *day of* April *next* Stylo veteri, *for the meeting at* London *of our Congregation, on which day all thoſe that have a ſuffrage are to be preſent there, that they may be ready to give a beginning to the ſame on the* 24th, *which is the next day after* St. Georges-day. *You are warned to have,* jus ſuffragii, *and therefore if your occaſions ſhould not permit you to be preſent, you are to ſignifie as much, to the end others in their ranks be ordered to ſupply your abſence: Every one is minded alſo, not to haſten to* London *long before the time appointed, nor to appear much about the Town till the meet-*

ing be over, leſt occaſion ſhould be given to ſuſpect the deſign. Finally, Secrecy, as to the time and place, is much recommended to all thoſe that receive Summons, as it will appear of its own nature neceſſary.

L. C. J. So it was very neceſſary indeed.

Cl. of the Court, There is more of it my Lord.

Tertio pro Domino ſolono diſco.

Benefact. Prov. Lunienſis.

I am ſtraitned for time, that I can only aſſure you, I ſhall be much glad of obliging you any ways, Sir, Your Servant

Edward Petre.

Pray, my Service where due, &c.

L. C. J. You know nothing of this Letter, Mr. *Whitebread?*

Whitebread, No my Lord, nothing at all.

L. C. J. Nor you Mr. *Ireland?*

Ireland, 'Tis none of my Letter, my Lord.

L. C. J. Did you never hear of it before?

Ireland, Not that I know of in particular.

L. C. J. Well, have you done with the Evidence for the King.

Sir *S. Baldwyn,* Pray Sir *Tho. Doleman,* will you tell my Lord, Did Mr. *Oates* give in this Teſtimony of the Conſult, to be the 24*th* of *April,* before this Letter was found.

Sir *Tho Dolman,* Mr. *Oates* gave in his information about this matter, to the King and Council, four or five days before we found this Letter.

Sir *S. Baldwyn,* You were ſpeaking of the Seals that were made uſe of to ſign Commiſſions, have you them in the Court?

Mr. *Oates,* Yes my Lord, they are in the Court, and they were taken out of the Provincials Chamber.

Whitebread, I confeſs they had the Seals out of my Chamber; but the taking of them was more than they had power to do.

Then the Seals were ſhewn to the Court and the Jury.

Mr. *Finch,* It hath been told you already, Gentlemen, what uſe theſe Seals were put unto; to Seal Commiſſions to raiſe an Army. And we have now done with our Evidence for the King, till we hear what the Priſoners ſay.

L. C. J. Before you come to make your defence, I will do that which I think in juſtice and honeſty, and according to the

the duty of my Place and my Oath I ought to do; That is, to ſay ſomething to the Jury, before the Priſoners make their own defence. Here are Five that ſtand indicted of High-Treaſon: I muſt tell you this, That as to three of them, that is to ſay, *Ireland*, *Pickering* and *Grove*, both Mr. *Oates* and Mr. *Bedlow* have ſworn the thing flat upon them: Mr. *Oates* his Teſtimony is full againſt them all; but Mr. *Bedlow* does only agree with him to charge Three, and that in this particular: Saith he, I was preſent at *Harcourts* Chamber, when *Ireland* was there, and *Pickering* and *Grove*, where they diſcourſed of their defeat about their deſign againſt the King at *Windſor*; and there they came to a new agreement, to do it at *New-Market*. So that here is now, as the Kings Council did open it to you at the firſt, as there ought to be, two Witneſſes; ſo here are Two, which though they ſpeak as to a different circumſtance of time, yet they prove one Treaſonable Fact at ſeveral times: For if killing the King be the fact in queſtion, and one proves they would do it by one thing, and another by another; and one in one place, and another in another; yet theſe are two Witneſſes to prove one fact, that is the ſubſtance, which is, the killing of the King. So that there are two Witneſſes againſt them three, expreſly proving a Confederacy to kill the King: for *Irelands* being by, and conſenting, was the ſame thing, and as much, as if he had been to do it with *Grove* and *Pickering*; for there are no acceſſaries in Treaſon. I do acknowledg, that Mr. *Oates* hath given a very full and ample Teſtimony, accompanied with all the circumſtances of time and place, againſt them all, that may go far to weigh with you, all things conſidered, to believe there is a Plot; yet I do not think that they have proved it againſt *Whitebread* and *Fenwick* by two Witneſſes: ſo that though the Teſtimony be ſo full, as to ſatisfie a private Conſcience, yet we muſt go according to Law too. It will be convenient from what is already proved, to have them ſtay till more proof may come in: 'Tis a great Evidence that is againſt them; but it not being ſufficient in point of Law, we diſcharge you of them; 'tis not a legal proof to convict them by, whatſoever it may be to ſatisfie your Conſciences. Therefore remove Mr. *Fenwick* and Mr. *Whitebread* from the Bar, and let the other three ſay what they will for themſelves.

L. C. Baron, (Speaking to the Goaler) You muſt underſtand they are no way acquitted; the Evidence is ſo full againſt them by Mr. *Oates* Teſtimony, that there is no reaſon to acquit them. It is as flat, as by one Witneſs can be; and the King hath ſent forth a Proclamation for further diſcovery; before the time therein prefixt come out, no queſtion there will come in more Evidence: Therefore keep them as ſtrict as you can. Then *Whitebread* and *Fenwick* were taken back to the Goal by the Keeper.

L. C. J. Now Gentlemen, you ſhall have liberty to make your full defence.

Ireland, Firſt I ſhall endeavour to prove there are not two Witneſſes againſt me: For that which he ſays, of being at *Harcourts* Chamber in *Auguſt*, is falſe; for I will prove I was all *Auguſt* long, out of Town, for I was then in *Staffordſhire*.

L. C. J. Call your Witneſſes.

Ireland, If there be any of them here.

L. C. J. Whoever comes to give Evidence for you, ſhall go and come in ſafety; they ſhall not be Trapand for any thing of that, but they ſhall be heard.

Ireland, My Lord, We are kept ſo ſtrict, that we are not permitted to ſend for any body.

L. C. J. As ſoon as your Siſter came to me, I ordered ſhe ſhould have acceſs to you, and that you ſhould have Pen, Ink and Paper, in order to your defence; therefore call thoſe Witneſſes you have, to prove what you ſay.

Ireland, I can only ſay this, That laſt *Auguſt* upon the 3*d* day, I went down to *Staffordſhire* with my Lord *Aſton*, and his Lady, and his Son, and Sir *John Southcatt* and his Lady, and all theſe can teſtifie that I went down with them. Here is Mr. *John Aſton* in Town, if he may be found, who was in my Company all *Auguſt* in *Staffordſhire*.

L. C. J. Will you call that Gentleman? Cryer call him.

Cryer, Mr. *John Aſton*.

Ireland, It is an hundred to one if he be here; for I have not been permitted ſo much as to ſend a ſcrap of Paper.

L. C. J. Your Siſter had leave to go to whom you thought fit in your behalf. You ſaid you would prove it, Why don't you?

Ireland,

Ireland. I do as much as I can do.

L. C. J. What, by saying so?

Ireland. Why, I do name them that can testifie.

L. C. J. If naming them should serve, you must have a Law made on purpose for you.

Ireland. Then there is no help for Innocence.

Mr. Recorder. To save him that labour, the Kings Evidence will prove, that he was in Town at that time.

Mr. Serj. Baldwyn. Swear *Sarah Paine.* *Which was done.*

Mr. Serj. Baldwyn. My Lord, this person was Mr. *Groves* Maid.

L. C. J. I believe you know your Maid, Mr. *Grove*, don't you? look upon her, she was your Servant.

Grove. Yes, my Lord, she was so, she is not so now.

L. C. J. Do you know Mr. *Ireland*?

Sarah Paine. Yes, my Lord.

L. C. J. Do you know whether Mr. *Ireland* was in Town in *August* last, or no?

S. Paine. I saw him at his own House about a week before I went with my Lord *Arlington* to *Windsor*.

L. C. J. When was that?

S. Paine. That was about a week after the King was gone thither.

L. C. J. Sir *Tho. Doleman*, what day was it the King went to *Windsor*?

Sir Tho. Doleman. About the thirteenth of *August*.

L. C. J. Thirteen and seven is twenty; then you went to *Windsor* about the twentieth it seems, and you say that eight days before you saw Mr. *Ireland* at his own House.

S. Paine. Yes, my Lord, about eight or nine days before that, I did see him at the door of his own House, which was a Scriveners in *Fetter Lane*. He was going into his own Lodging.

L. C. J. How long had you known him before that time?

S. P. My Lord, I knew him, for he came often to our House when I lived at Mr. *Groves*; he was the Man that broke open the Pacquet of Letters that my Master carried about afterwards, and he Sealed all the Pacquets that went beyond the Seas. And he opened them still when the Answers returned back again.

Ireland. Now muſt all the people of my Lodging come and witneſs that I was out of my Lodging all *Auguſt.*

L. C. J. Call them.

Ireland. There is one *Anne Ireland.*

L. C. J. Cryer, call her.

Cryer. Anne Ireland Here ſhe is.

L. C. J. Come Miſtriſs, what can you ſay concerning your Brothers being out of Town in *Auguſt?*

Anne Ireland. My Lord, on Saturday the third of *Auguſt*, he ſet out to go into *Staffordſhire.*

L. C. J. How long did he continue there?

A. Ireland. Till it was a fortnight before *Michaelmaſs.*

L. C. J. How can you remember that it was juſt the third of *Auguſt?*

A. Ireland. I remember it by a very good Circumſtance, becauſe on the Wedneſday before, my Brother, and my Mother and I, were invited out to Dinner; we ſtayd there all night, and all Thurſday night, and Friday night my Brother came home, and on Saturday he ſet out for *Staffordſhire.*

L. C. J. Where was it Maid that you ſaw him?

S. Paine. I ſaw him going in at the door of their own Houſe.

L. C. J. When was that?

S. Paine. About a week before I went with my Lord Chamberlain to *Windſor*, which was a week after the King went thither.

L. C. J. That muſt be about the 12th or 13th. Are you ſure you ſaw him?

S. Paine. Yes, my Lord, I am ſure I ſaw him.

L. C. J. Do you know this Maid, Mr. *Ireland?*

Ireland. I do not know her, my Lord.

L. C. J. She knows you by a very good token. You uſed to break open the Letters at her Maſters houſe, and to ſeal them.

S. Paine. He knows me very well, for I have carried ſeveral Letters to him, that came from the Carrier, as well as thoſe that came from beyond Sea.

L. C. J. They will deny any thing in the world.

Ireland. I profeſs, I do not know her. Twenty people may come to me, and yet I not know them; and ſhe having been Mr. *Groves* Servant, may have brought me Letters, and yet I not remember

member her. But, my *Lord*, here is my Mother *Elenor Ireland* that can teſtifie the ſame.

L. C. J. Call her then.

Cryer. Elenor Ireland.

Elenor Ireland. Here.

L. C. J. Can you tell when your Son went out of Town?

E. Ireland. He went out of Town the third of *Auguſt*, towards *Staffordſhire.*

Ireland. My Lord, there is Mr. *Charles Gifford* will proye that I was a week after the beginning of *September*, and the latter end of *Auguſt*, in *Staffordſhire.*

L. C. J. That will not do: for ſhe ſays that ſhe ſaw you in *London* about the 10th or 12th of *Auguſt*; and ſhe makes it out by a Circumſtance, which is better Evidence than if ſhe had come and ſworn the preciſe day wherein ſhe ſaw him: for I ſhould not have been ſatisfi'd, unleſs ſhe had given me a good account why ſhe did know it to be ſuch a day. She does it by Circumſtances, by which we muſt calculate that ſhe ſaw you about the 12th or 13th day. She went to my Lord *Arlington*'s at ſuch a day, a week after the King went to *Windſor*, and that was about the 13th, and ſhe ſaw you a week before ſhe went to my Lord *Arlingtons*, which muſt be he 12th or 13th. You ſay you went out of Town the third of *Auguſt*; who can ſwear you did not come back again?

Ireland. All the houſe can teſtifie I did not come to my Lodging.

E. Ireland. He went out of town the third of *Auguſt*, and did not return till a fortnight before *Michaelmaſs.*

L. C. J. Did you lye at his houſe?

E. Ireland. I did then, my Lord.

L. C. J. What, all that while?

E. Ireland. Yes, my Lord.

L. C. J. So did your daughter too, did ſhe?

E. Ireland. Yes, ſhe did.

Ireland. There are others that did ſee me the latter end of *Auguſt* in *Staffordſhire.*

L. C. J. And you would feign have crampt him up, between the 20th and 31; and then, 'tis poſſible, you might be in *Staffordſhire.*

Ireland.

Ireland. If I might have been permitted to ſend in for ſuch Witneſs as I would have had, I could have brought them.

Mr. Recorder. Why, have you not a Note of what Witneſſes you are to call? why don't you call them according to that Note?

Ireland. I had that but this Morning.

L. C. J. VVhy did you not ſend for them before, to have them ready?

Mr. Recorder. 'Tis his Siſter that brings that Note of the VVitneſſes that he ſhould call, and now they are not here.

A. Ireland. There was one *Engletrap*, and one *Harriſon* had promiſed to be here, that went with him into *Staffordſhire*.

Mr. Oates. My Lord, when ever we had a mind to come to town, we commonly writ our Letters, and let them come to town two days after us. So that we might prove by the writing of ſuch Letters, if any Queſtion did ariſe, that we could not be at ſuch a place at ſuch a time. And when we pretended to go into the Countrey, we have gone and taken a Chamber in the City, and have had frequent Cabals at our Chambers there. Mr. *Ireland* writ a Letter as dated from St. *Omers*, when I took my leave of him at his own Chamber, which was betwixt the 12th and 24th in *London*. He was there; and afterwards when I went to *Fenwicks* Chamber he came thither; a fortnight or ten days at leaſt. I am ſure it was in *Auguſt*.

L. C. J. Here are three VVitneſſes upon Oath about this one thing; here is Mr. *Bedlow* that Swears the fact, upon vvhich the Queſtion ariſes to be in *Auguſt*; that you deny, and ſay you vvere out of tovvn then: he produces a Maid here, and ſhe ſvvears, that about that time, vvhich by calculation muſt be about the 11th or 12th, ſhe ſavv you going into your ovvn houſe. And here is a third VVitneſs, vvho ſvvears he knovvs nothing of this matter of fact, but he knovvs you vvere in tovvn then, and that he took his leave of you as going to St. *Omers*.

Mr. Oates. VVhereas he ſays, that the beginning of *September* he vvas in *Staffordſhire*, he vvas in tovvn the firſt of *September*, or ſecond, for then I had of him tvventy ſhillings.

Ireland. This is a moſt falſe lie; for I vvas then in *Staffordſhire*. And the VVitneſſes contradict themſelves; for the one ſaith, he took his leave of me, as going to *St. Omers* the 12th; the other ſaith, it vvas the latter end of *Auguſt* I vvas at *Harcourt's* Chamber.

L. C. J.

L. Ch. Ju. He does not say you went, but you pretended to go.

A. Ireland. Here is one *Harrison*, that was a Coachman that went with them.

L. Chief Just. Well what say you friend? Do you know Mr. *Ireland?*

Harrison. I never saw the man before that time in my life, but I met with him at Saint *Albans.*

L. Ch. Just. VVhen?

Harrison. The fifth of *August.* There *I* met with him, and was in a journey with him to the sixteenth.

L. Ch. Ju. VVhat day of the week was it?

Harrison. Of a *Monday.*

L. Ch. Ju. Did he come from *London* on that day?

Harrison I cannot tell that. But there *I* met him.

L. Ch. Ju. VVhat time?

Harrison. In the Evening.

L. Ch. Ju. VVhereabouts in Saint *Albans?*

Harrison. At the Bull *Inn*, where we lodged.

L. Ch. Ju. Mr. *Ireland*, you say you went on *Saturday* out of Town, did you stay at Saint *Albans* till *Monday.*

Ireland. No, *I* went to *Standon* that day, and lay there on *Saturday* and *Sunday* night, on *Monday I* went to Saint *Albans.*

L. Ch. Ju. VVhat from thence?

Ireland. Yes my Lord.

L. Ch. Ju. VVhy did you go thither? was that in your way?

Ireland. I went thither for the company of Sir *John Southcot* and his Lady.

L. Ch. Ju. How did you know that they went thither?

Ireland. I understood they were to meet my Lord *Aston* and Lady there.

L. Ch. Ju. VVhat on *Monday* night?

Ireland. Yes, my Lord.

Harrison. From thence I went with him to *Tixwel*, to my Lord *Astons* house, there we were all with him.

L. Ch. J. VVere you my Lord *Aston's* Coachman?

Harrison. No, my Lord, I was Servant to Sir *John Southcot.*

L. Ch. Ju. How came you to go with them?

Harrison. Because my Lord *Aston* is my Lady *Southcots* Brother.

L. Ch. J. How long was you in his Company?

Harrison. From the fifth of *August* to the sixteenth, and then I was with him at *Westchester.*

Mr. *Juſt. Atkins.* You have not yet talkt of being at *Weſtcheſter* all this while.

Ireland. My Lord, I muſt talk of my journey by degrees.

L. Chief. Juſt. Before, you ſaid you were all *Auguſt* in *Staffordſhire*, come you muſt find out ſome evaſion for that.

Ireland. In *Staffordſhire* and thereabouts.

L. Chief. Juſt. You Witneſs, who do you live with?

Harriſon, With Sir *John Southcot.*

L. Chief. Juſt. Who brought you hither?

Harriſon. I came only by a meſſenger laſt night.

L. Ch. Juſt. Was not Sir *John Southcot* in that journy himſelf?

Harriſon. Yes, my Lord, he was.

L. Chief. Juſt. Then you might as well have ſent to Sir *John Southcot* himſelf to come.

A. Ireland. I did it of my ſelf, *I* never did ſuch a thing before, and did not underſtand the way of it.

Ireland. It was meer chance ſhe did ſend for thoſe ſhe did.

L. Chief. Juſt. But why ſhould ſhe not ſend for Sir *John* himſelf?

Ireland. She did not know, that Sir *John* was there.

L. Ch. Juſt. You were not denied to ſend for any Witneſſes, were you?

Ireland. I was expreſly denied, they would not let me have one bit of Paper.

L. Ch. Juſt. Fellow, what Town was that in *Staffordſhire?* Tell me quickly.

Harriſon. It was *Tixwel* by my Lord *Aſtons*, there we made a ſtay for three or four daies, then we went to *Nantwich*, and ſo to *Weſtcheſter.*

L. Ch. Juſt. Were not you at *Wolverhampton* with him?

Harriſ. No, my Lord, I was not there, I left him at *Weſtcheſter?*

Ireland. My Lord, I was at *Wolverhampton* with Mr. *Charls Gifford*, and here he is to atteſt it.

L. Ch. Juſt. Well Sir, what ſay you?

Gifford. My Lord, I ſaw him there a day or two after St. *Bartholomews* day, there he continued till the 9. of *September*, the 7. of *September* I ſaw him there, and I can bring twenty and twenty more, that ſaw him there. Then, as he ſaid, he was to go towards *London.* I came again thither on the ninth, and there *I* found him. And this is all *I* have to ſay.

Mr. Oates. My Lord, I do know that day in *September I* ſpeak of by a particular circumſtance.

Ireland.

Ireland. My Lord, there is one *William Bowdrel*, that will teſtifie the ſame, if *I* might ſend for him.

L. Ch. Juſt. VVhy han't you him here?

Ireland. She hath done what ſhe can to bring as many as ſhe could.

L. Ch. Juſt. Have you any more Witneſſes to call?

Ireland. *I* can't tell whether there be any more here or no.

L. Ch. Juſt. Mr. *Grove* what ſay you for your ſelf?

Grove. Mr. *Oates* ſays he lay at my houſe my Lord, *I* have not been able to ſend for any Witneſſes, and therefore *I* know not whether there be any here. They could prove that he did not lie there. He ſays he ſaw me receive the Sacrament at *Wild-Houſe*, but he never did, and if *I* had any Witneſſes here *I* could prove it.

L. Ch. Juſt. He tells it you with ſuch and ſuch circumſtances, who lay there at that time.

Grove. He did never lie there.

L. C. J. Why you make as if you never knew Mr. *Oates*.

Grov. My Lord, *I* have ſeen him, but he never lay at my houſe.

L. Ch. Ju. Mr. *Pickering*, what ſay you for your ſelf; you relie upon your Maſſes.

Pickering. *I* never ſaw Mr. *Oates*, as *I* know of, in my life.

L. Ch. Ju. What ſay you to *Bedlow*, he tells you he was with you in *Harcourts* Chamber ſuch a day.

Pickering. I will take my Oath I was never in *Mr. Bedlows* company in all my Life.

L. Ch. Juſt. I make no queſtion but you will. And have a diſpenſation for it when you have done. Well have you any Witneſſes to call?

Pickering. I have not had time to ſend for any.

L. Chief Juſt. You might have moved the Court, when you came at firſt, and they would have given you an order to ſend for any.

Ireland. Methinks there ſhould be ſome witneſſes brought that know Mr. *Oates*, to atteſt his reputation, for *I* am told, there are thoſe that can prove very ill things againſt him, they ſay he broke priſon at *Dover*.

L. Ch. Juſt. Why have you not your Witneſſes here to prove it?

Ireland. We could have had them if we had time.

L. Chief. Juſt. See what you ask now, you would have time and

and the Jury are ready to go together about their Verdict.

Ireland. Why, we desire but a little time to make out our proof.

L. Chief. Just. Onely you must tye up the Jury, and they must neither eat nor drink till they give in a Verdict.

Ireland. Then we must confess, there is no Justice for Innocence.

L. Chief. Just. Well if you have any more to say, say it.

Ireland. My Lord, I have produced Witnesses, that prove what I have said.

L. Chief. Just. I'le tell you what you have proved: you have produced your Sister and your Mother, and the Servant of *Southcot*, they say you went out the third of *August*, and he gives an accompt you came to St. *Albans* on the fifth and then there is another Gentleman, *Mr. Gifford*, who saies he saw you at *Wolverhampton* till about a week in *September*. *Mr. Oates* hath gainsaid him in that, so you have one Witness against *Mr. Oates* for that circumstance. It cannot be true what *Mr. Oates* sayes, if you were there all that time, and it cannot be true what *Mr. Gifford* saies, if you were in *London* then. And against your two VVitnesses and the Coachman there are three VVitnesses, that swear the contrary, *Mr. Oates*, *Mr. Bedlow* and the Maid, so that if she and the other two be to be believed, here are three upon Oath against your three upon bare affirmation.

Ireland. I do desire time, that we may bring in more Witnesses.

L. Ch. Just. Come, you are better prepared than you seem to be. Call whom you have to call. Can you prove that against *Mr. Oates*, which you speak of? If you can, call your VVitnesses on Gods name. But only to asperse, tho' it be the way of your Church, it shall not be the way of tryal amongst us. VVe know you can call Hereticks, and ill Names fast enough.

Ireland. That *Hilsley* that he names can prove, if he were here, that *Mr. Oates* was all the while at Saint *Omers*.

L. Ch. J. VVill you have any more VVitnesses call'd. If you will, do it, and dont let us spend the time of the Court thus.

Grove. Here is *Mrs. York*, that is my Sister, will your Lordship please to ask her, whether she see that Gentleman at my house?

L. C. J.

L. Ch. Juſt. What ſay you Miſtreſs?

York. No my Lord not I.

Mr. *Juſt. Atkins.* Nor I neither, might not he be there for all that?

Mr. *Oats.* To ſatisfie the Court my Lord, I was in another habit and went by another Name.

L. Ch. Juſt. Look you, he did as you all do, diſguiſe your ſelves.

Ireland. Though we have no more Witneſſes yet we have Witneſſes that there are more Witneſſes.

L. Ch. Juſt. I know what your way of Arguing is, that is very pretty, you have Witneſſes that can prove you have Witneſſes, and thoſe Witneſſes can prove you have more Witneſſes, and ſo *in infinitum*. And thus you argue in every thing you do.

Ireland. We can go no further than we can go, and can give no anſwer to what we did not know would be proved againſt us.

L. Ch. Juſt. Then look you Gentlemen——

A. Ireland. My Lord, Sir *Denny Aſhburnham* promiſed to be here to teſtifie what he can ſay concerning Mr. *Oats*.

L. Ch. Juſt. Call him.

Cryer. Sir *Denny Aſhburnham*. Here he is my Lord.

L. Ch. Juſt Sir *Denny*, what can you ſay concerning Mr *Oats*.

Sir *D. Aſhburnham*. My Lord, I received a Letter this morning which I tranſmitted to Mr. Attorny, and this Letter was only to ſend to me a Copy of an Indictment againſt Mr. *Oats* of Perjury: I did ſend it accordingly with my Letter to Mr. Attorney. He hath ſeen the Letter and what the Town ſays to me in it.

Mr. *Att. Gen.* I have ſeen it, there is nothing in it.

L. Ch. Juſt. Do you know any thing of your own knowledg?

Sir *D. Aſhburnham*. I do know Mr. *Oats*, and have known him a great while, I have known him from his Cradle, and I do know that when he was a Child, he was not a perſon of that Credit that we could depend upon what he ſaid.

L. Ch. Juſt. What ſignifies that?

Sir *D. Aſhburnham*. Will you pleaſe to hear me out my Lord, I have been alſo ſollicited by ſome of the Priſoners who ſent to me, hoping I could ſay ſomething that would help them

in this matter: Particularly last night one Mistris *Ireland* Sister to the Prisoner at the Bar, a Gentlewoman I never saw before in my life, she came to me and was pressing me hard, that I would appear here voluntarily to give evidence for the Prisoner. I told her no, I would not by any means in the world, nor could I say any thing as I thought that would advantage them; for I told her though perhaps upon my knowledge of Mr. *Oats* in his youth, had this discovery come only upon Mr. *Oats* testimony, I might have had some little doubt of it, but it was so corroborated with other Circumstances that had convinced me, and I would not speak any thing against the Kings witnesses, when I my self was satisfied with the truth of the thing: And I do think truly that nothing can be said against Mr. *Oats* to take off his credibility; but what I transmitted to Mr. Attorney, I had from the Town of *Hastings* for which I serve.

L. Ch. Just. What was in that Indictment?

Sir *D. Ashburnham.* It is set forth, that he did swear the Peace against a man, and at his taking his Oath did say, there were some witnesses that would evidence such a point of fact, which when they came would not testifie so much, and so was forsworn.

L. Ch. Just. What was done upon that Indictment?

Sir *Den. Ashburnham.* They did not proceed upon it, but here is the Letter and the Copy of the Indictment.

Mr. *Serg. Baldw.* My Lord we desire it may be read, and see what it is.

Mr. *Att. Gen.* It is only a Certificate, pray let it be read.

L. Ch. Just. I do not think it Authentick Evidence.

Mr. *Att. Gen.* But if I consent to it it may be read.

L. Ch. Just. If you will read it for the Prisoners you may, you shan't read it against them. If there be any strain it shall be in favour of the Prisoners and not against them.

Mr. *Att. Gen.* It is nothing against the Prisoners nor for them, but however if your Lordship be not satisfied it should be read, let it alone.

L. Ch. Just. Truly I do not think it is sufficient Evidence or fit to be read.

A. Ireland. I went to another, one Colonel *Shakesby*, who was sick and could not come, but could have attested much as to this.

L.

L. Ch. Juſt. Have you any other witneſſes?

Ireland. I have none, nor I have not time to bring them in.

L. Ch. Juſt. If you have none, what time could have brought them in. But you have called a Gentleman that does come in, and truly he hath done you very great ſervice, you would have had him teſtified againſt *Mr. Oats*, he ſaith he hath known him ever ſince he was a Child, and that then he had not ſo much credit as now he hath: And had it been upon his ſingle Teſtimony that the diſcovery of the Plot had depended, he ſhould have doubted of it, but *Mr. Oats* his Evidence with the teſtimony of the fact it ſelf, and all the concurring Evidences which he produces to back his Teſtimony, hath convinced him that he is true in his Narrative.

Sir *D. Aſhburnham.* Your Lordſhip is right in what I have ſpoken.

L. Ch. Juſt. Have you any more witneſſes, or any thing more to ſay for your ſelves.

Ireland. If I may produce on my own behalf Pledges of my own Loyalty and that of my Family——

L. Ch. Juſt. Produce whom you will.

Ireland. Here is my Siſter and my Mother can tell how our Relations were plundered for ſiding with the King.

L. Ch. Juſt. No, I will tell you why it was, it was for being Papiſts, and you went to the King for ſhelter.

Ireland. I had an Uncle that was killed in the Kings ſervice, beſides the *Pendrels* and the *Giffards* that were inſtrumental for ſaving the King, after the fight at *Worceſter*, are my near Relations.

L. Ch. Juſt. Why all thoſe are Papiſts.

Pickering. My Father my Lord was killed in the Kings party.

L. Ch. Juſt. Why then do you fall off from your Fathers Vertue.

Pickering. I have not time to produce witneſſes on my own behalf.

Ireland. I do deſire time to bring more witneſſes.

Grove. As I have a ſoul to ſave, I know nothing of this matter charged upon me.

L. Ch. Juſt. Well, have you any thing more to ſay?

Ireland. No my Lord.

L. Ch. Juſt. You of the Kings Council will you ſum up the Evidence?

Mr.

Mr. Serj. Baldwin No my Lord, we leave it to your Lordship.

C. of C. Cryer, Make Proclamation of silence.

Cryer Oyes! All manner of Persons are commanded to keep silence upon pain of Imprisonment.

Then the Lord Chief Justice directed the Jury thus.

L. Ch. Just. Gentlemen, you of the Jury! As to these three persons, *Ireland*, *Pickering*, *Grove*; (the other two you are discharged of.) One of them, *Ireland*, it seems is a Priest. I know not whether *Pickering* be or no, *Grove* is none, but these are the two men that should kill the King, and *Ireland* is a Conspirator in that Plot. They are all indicted for conspiring the Kings death, and endeavouring to subvert the Government, and destroy the Protestant Religion, and bring in Popery. The main of the Evidence hath gone upon that foul and black offence *Endeavouring to kill the King*. The utmost end was without all question to bring in Popery and subvert the Protestant Religion, and they thought this a good means to do it by killing the King. That is the thing you have had the greatest evidence of, I will sum up the particulars and leave them with you.

'Tis sworn by *Mr. Oats* expresly, that on the 24*th* of *April* last there was a Consulcation held of Priests and Jesuits. They are the men fit only for such a mischief, for I know there are abundance of honest Gentlemen of that persuasion, who could never be drawn to do any of these things, unless they were seduced by their Priests, that stick at nothing for their own ends. He swears expresly that the Consult was begun at the white Horse Tavern in the *Strand*; That they there agreed to murther the King; That *Pickering* and *Grove* were the men that were to do it, who went afterwards and subscribed this holy League of theirs, and signed it every one at his own Lodging, *Whitebread* at his, *Ireland* at his, and *Fenwick* at his, two of which are out of the case, but they are repeated to you only to shew you the order of the Conspiracy. That afterwards *Pickering* and *Grove* did agree to the same and they received the Sacrament upon it as an Oath to make all Sacred, and a Seal to make all Secret.

Mr.

Mr. *Bedlow* hath ſworn as to that particular time of Killing the King by *Pickering* and *Grove*, though they were not to give over the Deſign, but there were Four that were ſent to kill the King at *Windſor*. Mr. *Oates* ſwears there was an Attempt by *Pickering* in *March* laſt, but, the Flint of the Piſtol happening to be looſe, he durſt not proceed, for which he was rewarded with Pennance. He ſwears there were Four hired to doe it. That Fourſcore pounds was provided for them. He ſaw the mone, and ſwears he ſaw it delivered to the Meſſenger to carry it down.

Ireland. At what time was that?

Lord Ch. Juſt. In *Auguſt* there was an Attempt in it by *Pickering* and *Grove*, They then not doing of it, four other Perſons (*Iriſh* men) were hired to doe it, and Ten thouſand pounds proffered to Sir *George Wakeman* to Poiſon the King. Thus ſtill they goe on in their Attempts, and, That being too little, Five thouſand pounds more was added. This is to ſhew you the groſs of the Plot in general; and alſo the particular Tranſactions of theſe two Murtherers, *Grove* and *Pickering*, with the Conſpiracy of *Ireland*. *Bedlow* ſwears directly, that in *Auguſt* laſt, theſe three and *Harcourt* and *Pritchard* and *Le-Faire*, being all together in a Room, did diſcourſe of the Diſappointment the Four had met with, in not killing the King at *Windſor*; And there the Reſolution was, the old Stagers ſhould goe on ſtill, but they had one *Conyers* joyned to them, and they were to kill the King then at *New-Market*. He ſwears they did agree to doe it; that *Ireland* was at it; and that all three did conſent to that Reſolve. So that here are two Witneſſes that ſpeak poſitively, with all the Circumſtances of this Attempt, of the Two to kill the King, and the Confederacy of *Ireland* all along with them. Nowv, I muſt tell you, there are no Accellaries, but all Principals, in Treaſon. It may ſeem hard perhaps to convict men upon the Teſtimony of their fellow

Offenders, and, if it had been poſſible to have brought other Witneſſes, it had been well: but, in things of this nature, you cannot expect that the Witneſſes ſhould be abſolutely ſpotleſs. You muſt take ſuch Evidence as the nature of the thing will afford, or you may have the King deſtroyed and our Religion too. For *Jeſuites* are too ſubtle to ſubject themſelves to too plain a Proof, ſuch as they cannot evade by equivocation or a flat denyal.

There is alſo a Letter produced, which, ſpeaking of the Conſult that was to be the 24. of *April*, proves that there was a Conſpiracy among them: And, although it is not Evidence to convict any one man of them, yet it is Evidence upon Mr. *Oates* Teſtimony to prove the general Deſign. It is from one *Petre* to one of the Confederates, and taken amongſt *Harcourt*'s Papers, after Mr. *Oates* had given in his Teſtimony; and therein it is mentioned, That the Superior had taken care, that there ſhould be a Meeting the 24. of *April*, the day after Saint *George*'s day, which is the very time *Oates* ſpeaks of; and that they were not to come to Town too ſoon, that the Deſign might not be diſcovered. I would fain know what the Signification of that Clauſe may be. And then it goes farther, That it was to be kept ſecret, as the nature of the thing doth require; vvhich ſhevvs plainly there was ſuch a Tranſaction on foot. But the reaſon I urge it for is, to ſhew you that it is a concurrent Evidence with Mr. *Oates*, who had never ſeen this Paper till three or four days after his Information was given in, wherein he ſwears the time when this Agitation was to be, and when they came to look upon the Papers, it agrees with the time preciſely. Now they do not write in this Letter that they intended to kill the King, but they write to caution them to keep the Deſign undiſcovered, and by that you may gueſs what they mean.

What is ſaid to all this by the Priſoners, but denyal? *Ireland* cannot deny but that he knew Mr. *Oates*,

and

and had been in his company ſome times; Five times, by Circumſtances, Mr. *Oates* hath proved, ſo that they vvere Acquaintance, and it appears plainly, there vvas a Familiarity betvveen them. *Ireland* objects, that *Bedlow* charges him in *Auguſt*, when he vvas out of Tovvn all that time, and that therefore the Teſtimony of one of the Witneſſes cannot be true. And, to prove this, he calls his Mother, his Siſter, and Sir *John Southcott*'s man, and Mr. *Gifford*. His Mother and Siſter ſay expreſly, that he vvent out of Tovvn the third of *Auguſt*, and the Servant ſaies, that he ſavv him at St. *Albans* the fifth of *Auguſt*, and continued in his company to the ſixteenth; (ſo that as to that, there is a Teſtimony both againſt Mr. *Bedlow* and againſt Mr. *Oates*;) and *Gifford* comes and ſays, he ſavv him at the latter end of *Auguſt* and beginning of *September* at *Wolverhampton*, vvhereas Mr. *Oates* hath ſvvorn, he ſavv him the tvvelfth of *Auguſt* and the firſt or ſecond of *September*, and tells it by a particular Circumſtance, wherein, I muſt tell you, it is impoſſible that both ſides ſhould be true. But if it ſhould be a miſtake onely in point of time, it deſtroys not the Evidence, unleſs you think it neceſſary to the ſubſtance of the thing. If you charge one in the month of *Auguſt* to have done ſuch a Fact, if he deny that he vvas in that place at that time, and proves it by Witneſſes, it may goe to invalidate the credibility of a man's Teſtimony, but it does not invalidate the truth of the thing it ſelf, which may be true in ſubſtance, though the circumſtance of time differ. And the queſtion is, whether the thing be true?

Againſt this, the Counſel for the King have Three that ſwear it poſitively and expreſly, That *Ireland* was here. Here is a young Maid that knew him very well, and was acquainted with him, and with his breaking up of Letters; and ſhe is one that was *Grove*'s Servant: ſhe comes and tells you directly, That about that time, which, by computation, was about the twelfth

of

of *August*, ſhe ſaw him goe into his own houſe, which cannot be true, if that be true which is ſaid on the other ſide: and ſhe does ſwear it upon better Circumſtances then if ſhe had barely pitch'd upon a day; for ſhe muſt have ſatisfied me well, for what reaſon ſhe could remember the day ſo poſitively, ere I ſhould have believed her: But ſhe does it remembring her going to my Lord *Arlington*'s ſervice, which was a week after the King went to *Windſor*; which is ſworn to be about the thirteenth of *August*, and a week before her going it was that ſhe ſaw *Ireland* at his own door. What arts they have of evading this I know not, for as they have turn'd their Learning into ſubtlety, ſo they have their Integrity too. The ſtudy of Politicks is their buſineſs and Art which they make uſe of upon all occaſions; and I find them learned chiefly in Cunning, and very ſubtle in their Evaſions. So that you ſee, without great difficulty, a man cannot have from them a plain Anſwer to a plain Queſtion. But the Fact againſt them is here expreſly ſworn by two Witneſſes; if you have any reaſon to disbelieve them, I muſt leave that to you. Sir *Dennis Aſhburnham*, who is produced to diſcredit Mr. *Oates*, ſaies, that when he was a Child there was little or no credit to be given to him, and if the matter had depended ſolely upon his Teſtimony, thoſe Irregularities of his, when a Boy, would have ſtaggered his Belief. But when the matter is ſo accompanied with ſo many other Circumſtances, which are material things, and cannot be evaded or deny'd, it is almoſt impoſſible for any man either to make ſuch a Story, or not to believe it when it is told. I know not whether they can frame ſuch a one; I am ſure never a Proteſtant ever did, and, I believe, never would invent ſuch a one to take away their lives: Therefore it is left to your Conſideration what is ſworn. The Circumſtances of ſwearing it by two Witneſſes, and what Reaſons you have to disbelieve them.

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It is most plain the Plot is discovered, and that by these Men; and that it is a Plot, and a Villanous one, Nothing is plainer. No Man of common Understanding, but must see there was a Conspiracy to bring in *Popery*, and to destroy the *Protestant Religion*; and we know their Doctrines and Practices too well, to believe they will stick at any thing, that may effect those ends. They must excuse me, if I be plain with them; I would not aspers a Profession of Men, as the Priests are, with hard words, if they were not very true, and if to this ritbe it were not very necessary. If they had not murthered Kings, I would not say they would have done ours. But when it hath been their Practice to do; When they have debauched Mens Understandings, overturned all Morals, and destroy'd all Divinity, What shall I say of them? When their Humility is such, that they tread upon the Necks of Emperors, Their Charity such, as to kill Princes, and their Vow of Poverty such, as to covet Kingdoms, What shall I judge of them? When they have Licences to lye, and Indulgences for Falshoods, Nay, When they can make him a Saint that dyes in one, and then pray to him, as the Carpenter first makes an Image, and after worships it, and can then think to bring in that wooden Religion of theirs amongst us in this Nation, What shall I think of them? What shall I say to them? What shall I do with them?

If there can be a Dispensation for the taking of any Oath (and diverse Instances may be given of it, that their Church does License them to do so, it is a Cheat upon Mens Souls, it perverts and breaks off all Conversation amongst Mankind; For how can we deal or converse in the World, when there is no Sin, but can be Indulged; no Offence so big, but they can pardon it, and some of the blackest be accompted meritorious? What is there left for Mankind to lean upon, if a Sacrament will not bind them (unless it be to conceal their Wickedness?) If they shall take Tests and Sacraments, and all this, under colour of Religion, be avoided, and signifie nothing, What is become of all Converse? How can we think Obligations and Promises between Man and Man should hold, if a Covenant between God and Man will not?

We have no such Principles nor Doctrines in our Church, we thank God. To use any prevarication in declaring of the truth

is abominable to natural Reason, much more to true Religion; and 'tis a strange Church that will allow a Man to be a Knave. 'Tis possible some of that Communion may be saved, but they can never hope to be so in such a course as this. I know they will say, That these are not their Principles, nor these their Practices, but they Preach otherwise, they Print otherwise, and their Councils do determine otherwise.

Some hold, that the *Pope* in Council is *Infallible*, and ask any *Papist Jesuite* of them all, and he will say the *Pope* is *Infallible* himself *in Cathedra*, or he is no right *Jesuite*. And if so, whatever they command, is to be justified by their Authority; so that if they give a Dispensation to kill a King, that King is well killed. This is a Religion that quite unhinges all Piety, all Morality, and all Conversation, and to be abominated by all Mankind.

They have some parts of the Foundation, 'tis true, but they are adulterated, and mixt with horrid Principles, and impious Practices. They eat their God, they kill their King, and Saint, the Murtherer. They indulge all sorts of Sins, and no humane Bonds can hold them.

They must pardon me if I seem sharp, for a *Papist* in *England* is not to be treated as a *Protestant* ought to be in *Spain*; and if ye ask me why? I'll give you this Reason, we have no such Principles nor Practises as they have. If I were in *Spain*, I should think my self a very ill Christian, should I offer to disturb the Government of the place where I lived, that I may bring in my Religion there. What have I to do to undermine the tranquillity and peace of a Kingdom, because all that dwell in it, are not of my particular Perswasion?

They do not do so here, there is nothing can quench the thirst of a *Priest* and a *Jesuite*, not the Blood of Men, not of Any, if he can but propagate his Religion, which in truth is but his Interest.

They have not the Principles that we have, therefore they are not to have that common Credence, which our Principles and Practices call for.

They are not to wonder if they keep no Faith, that they have none from others; and let them say what they will, that they do not own any such things as we charge upon them, and are like to go hard with them; For we can shew them out of their own Writings, and Counsels, that they do justifie the Power of the Pope in Excommunicating Kings, in Deposing them for Heresie; and Absolving their Subjects from their Allegiance. And the Claim of Authority both in Pope and Council is the surest Foundation they build upon.

I have said so much the more in this Matter, because their Actions are so very plain and open, and yet so pernicious; and 'tis a very great Providence, that we, and our Religion, are delivered from Blood and Oppression. I believe our Religion would have stood notwithstanding their Attempts, and I would have them to know we are not afraid of them; nay I think we should have maintained it by destroying of them. We should have been all in Blood 'tis true, but the greatest effusion would have been on their side; and without it, How did they hope it should have been done? There are honest Gentlemen, I believe hundreds of that Communion, who could not be openly won upon to engage in such a Design. They will not tell them that the King shall be killed; but they insinuate into them, that he is but one Man, and if he should die it were fit they were in readiness to promote the Catholick Religion, and when it comes to that, they know what to do. When they have got them to give Money to provide Arms and be in readiness on their specious pretence, then the Jesuits will quickly find them Work. One Blow shall put 'em to exercise their Arms; and when they have killed the King, the Catholick Cause must be maintained.

But they have done themselves the Mischief, and have brought misery upon their whole Party, whom they have ensnared into the Design upon other Pretences than what was really at the bottom. A Popish Priest is a certain Seducer, and nothing satisfies him; not the Blood of Kings, if it stands in the way of his Ambition. And I hope they have not only undeceived some Protestants, whose Charity might encline them to think them not so bad as they are; but I believe they have shaken their Religion in their own Party here, who will be ashamed

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in time, that such Actions should be put upon the score of Religion.

I return now to the Fact, which is proved by two Witnesse, and by the concurrent Evidence of the Letter and the Maid; and the Matter is as plain and notorious as can be, That there was an intention of bringing in Popery by a cruel and bloudy Way; for I believe they could never have Prayed us into their Religion. I leave it therefore to you to consider, whether you have not as much Evidence from these two Men as can be expected in a Case of this nature; and whether Mr. *Oats* be not rather justified by the Testimony offered against him, than discredited. Let Prudence and Conscience direct your Verdict, and you will be too hard for their Art and Cunning.

Gentlemen, If you think you shall be long, we will Adjourn the Court till the Afternoon, and take your Verdict then.

Jury. No, my Lord, we shall not be long.

Then an Officer was Sworn to keep the Jury safe, according to Law, and they withdrew to consider of their Verdict.

After a very short recess, the Jury returned, and the Clerk of the Crown spake to them thus:

Cl. of the Crown. Gentlemen answer to your Names, Sir *William Roberts.*

S. W. Roberts. Here. And so of the rest.

Clerk of the Crown. Gentlemen, Are you all agreed in your Verdict?

Omnes. Yes.

Cl. of the Cr. Who shall say for you?

Omnes. The Foreman.

Cl. of the Cr. Set *William Ireland* to the Bar. *William Ireland,* hold up thy Hand. Look upon the Prisoner, How say you, is he guilty of the High Treason whereof he stands Indicted, or not Guilty?

Foreman. Guilty.

Cl. of the Cr. What Goods and Chattels, Lands or Tenements?

Foreman. None to our knowledge.

Clerk

Cl. of Cr. Set *Thomas Pickering* to the Bar. *Tho. Pickering* hold up thy hand. Look upon the Priſoner. How ſay you, is he Guilty of the ſame High Treaſon, or not Guilty?

Foreman. Guilty.

Cl. of Cr. What Goods or Chattels, Lands or Tenements?

Foreman. None to our knowledge.

Cl. of Cr. Set *John Grove* to the Bar. *John Grove* hold up thy hand. Look upon the Priſoner. How ſay you, is he Guilty of the ſame High Treaſon, or not Guilty?

Foreman. Guilty.

Cl. of Cr. What Goods or Chattels, Lands or Tenements?

Foreman. None to our knowledge.

Cl. of Cr. Hearken to your Verdict as the Court hath recorded it. You ſay that *William Ireland* is Guilty of the High Treaſon whereof he ſtands Indicted. You ſay that *Thomas Pickering* is Guilty of the ſame High Treaſon. You ſay that *John Grove* is Guilty of the ſame High Treaſon. And for them you have found Guilty, you ſay, That they, nor any of them, had any Goods or Chattels, Lands or Tenements, at the time of the High Treaſon committed, or at any time ſince to your knowledge. And ſo you ſay all.

Omnes. Yes.

Lord Ch. Juſt. You have done, Gentlemen, like very good Subjects, and very good Chriſtians, that is to ſay, like very good Proteſtants: And now much good may their Thirty Thouſand Maſſes do them.

Then the Court adjourned by Proclamation till four in the Afternoon.

In the Afternoon the ſame day.

About 5 *of the Clock Mr.* Recorder, *and a ſufficient number of the Juſtices, returned into the Court, the Judges being departed home; and Proclamation was made for attendance, as in the morning.*

Then the Clerk of the Crown called for the Priſoners Convicted of High Treaſon, and ſpoke to each of them thus:

Cl. of the Cr. Set *William Ireland* to the Bar, *William Ireland* hold up thy hand, thou ſtandeſt Convicted of High Treaſon; what canſt thou ſay for thy ſelf, why the Court ſhould not give thee Judgement to die according to Law.

Ireland. My Lord, I repreſented all along from the beginning, that we had not time to call in our Witneſſes to juſtifie our Innocence.

Mr. *Recorder*, If you have any thing to ſay in ſtay of Judgment, you have all free liberty to ſay it.

Ireland, We had no time allowed us to bring in our Witneſſes, ſo that we could have none, but only thoſe that came in by chance, and thoſe things they have declared, though true, were not believed.

Mr. *Recorder*, Theſe things Mr. *Ireland*, you did not object before the Jury gave their Verdict, now they have given their Verdict, and found you guilty, if you have any thing to ſay to the Court why they ſhould not proceed to Judgement according to that Verdict, you may ſpeak it; but for theſe things it is too late.

Ireland, My Lord, I only have this to ſay, I deſire more time to be heard again, and to call in my Witneſſes.

Mr. *Recorder*, Call the Executioner to do his Office.

Ireland, There are Teſtimonies, my Lord, that I could produce of my Loyalty, and my Relations fidelity to the King.

Mr. *Recorder*, I believe Mr. *Ireland*, it will be a ſhame to all your Relations that have been Loyal to the King, that you ſhould be privy to the murder of that good King whom your Relations ſo well ſerved; and therefore if that be all that you have to ſay, it will ſignifie nothing.

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The Executioner not appearing, the Sheriff of *Middlesex* was called to come into Court, and give his attendance upon pain of 40 *l.* But the Executioner coming in, was with a Reproof from the Recorder for his negligence, commanded to tye him up, which he did.

Cl. of Cr. Set *Thomas Pickering* to the Bar.

Thomas Pickering hold up thy hand, Thou art in the same case with the Prisoner last before thee, what canst thou say for thy self, why the Court should not give thee Judgement to dye according to Law.

Mr. *Recorder*, What does he say for himself?

Cap. Richardson, He has nothing to say.

Mr. *Recorder*, Then tye him up.

Cl. of Cr. Set *John Grove* to the Bar.

John Grove hold up thy hand, Thou art in the same case with the Prisoner last before thee, what canst thou say for thy self, why the Court should not give thee Judgement to die according to Law?

Grove. I am as innocent as the Child unborn.

Cl. of Cr. Tye him up, which was done.

Cl of Cr. Cryers on both sides make Proclamations.

Cryers, O yes, All manner of persons are commanded to keep silence whilst Judgement is giving upon pain of Imprisonment; Peace about the Court.

Mr. *Recorder*, Where is the Keeper, shew me the Prisoners, *William Ireland*, *Thomas Pickering*, and *John Grove.*

Cap. Richardson. Those are the three.

Mr. *Recorder.* You the Prisoners at the Bar, you have been Arraigned for a very great Offence, for the greatest that can be committed against any Authority upon Earth, for High Treason against your King, with all the Aggravations that possibly can attend so great a Crime as that is; for you did not only strike at the life of the best of Kings, but you intended the subversion of the best of Religions, whatever you may apprehend; yet all men that will lay their hopes of salvation upon any thing that is fit for a man to lay his hopes upon, which is upon the Merits of a Crucified Saviour, and not upon your Masses, Tricks or Trumperies, do abhor the thoughts of promoting their Religion by massacring Kings, and murdering their Subjects. And though we whom you call Hereticks, abhor to own any such Religion; yet we are not afraid to

tell

tell you, and all others who are enſnared into your principles, we will maintain the Religion and the Government as it is Eſtabliſhed, with our lives and fortunes. And it is fit that it ſhould be known, that we who live under the Government of ſo mild and pious a Prince, and in a Country where ſo good, ſo moderate a Religion is Eſtabliſht by Law, will not be affrighted by all your Murders, Conſpiracies and Deſigns, from declaring, that they who dare kill Kings, and maſſacre their Subjects, are the higheſt Violaters, not only of the Laws of the Land, but of that great Law which all good Chriſtians and Proteſtants, think themſelves obliged to pay great Reverence and Obedience to, I mean the Law of God Almighty himſelf.

This I ſpeak to you, Gentlemen, not vantingly, 'tis againſt my nature to inſult upon perſons in your ſad condition; God forgive you for what you have done, and I do heartily beg it, though you don't deſire i ſhould; for poor men, you may believe that your intereſt in the World to come is ſecured to you by your Maſſes, but do not well conſider that vaſt Eternity you muſt e're long enter into, and that great Tribunal you muſt appear before, where his Maſſes (ſpeaking to *Pickering*) will not ſignifie ſo many Groats to him, no not one Farthing. And I muſt ſay it for the ſake of thoſe ſilly people whom you have impoſed upon with ſuch fallacies, That the Maſſes can no more ſave thee from a future Damnation, then they do from a preſent Condemnation.

I do not ſpeak this to you, as intending thereby to inveigh againſt all perſons that profeſs the *Romiſh* Religion; for there are many that are of that perſwaſion, that do abhor thoſe baſe Principles of murdering Kings and ſubverting Governments. There are many honeſt Gentlemen in *England*, I dare ſay, of that Communion, whom none of the moſt impudent Jeſuites durſt undertake to tempt into ſuch deſigns; theſe are only to be impoſed upon filly men, not upon men of Conſcience and Underſtanding. And I pray God, as was ſaid lately by a Learned Gentleman whom we all know, that all Proteſtants may be as ſafe from the force of your Daggers, as they are from thoſe of your Arguments; for I dare ſay, that you could ſooner Murder any man that underſtands the Proteſtant Religion, than perſwade him to ſuch Villanies. And among thoſe many things which prevailed with the honeſt Gentlemen of the Jury to convict you of this horrid Crime, they could not but take notice, that you (ſpeaking to *Ireland*) that do pre-

tend

tend to Learning, did send into Forraign parts, that your fellow Jesuits should take care publickly to preach, That the Oaths of Allegiance and Supremacy, by which the Common Justice of the Nation is preserved, signified nothing; which is a strong Evidence of your Design, not only to Murther the King, but Subvert the Government; for surely the most probable way to do that, is to asperse those Oaths by which all Protestant Subjects, those whom you call Hereticks, lie under an Obligation of Obedience to their Prince. And I think it not unfit to tell you, that you had a great favour shewed to you to be tried only for the matters contained in this Indictment; for you that are Priests must know, that there is a Law in the Land, that would have hang'd you for your very residence here; for if any Subject born in *England*, shall take Orders from the See of *Rome*, and afterwards come into *England*, and remain there 40 days, such, for that offence alone, are made Traytors by Act of Parliament. But you are so far from being under any Awe of that Law, or Submission to it, that you dare not only come to live here in despight thereof, but endeavour what you can, to overthrow both it, and the Government it self. You dare conspire to Murther the King; nay, not only so, but you dare make your Consults thereof publick. You dare write your names to those Consults. You dare solicite all your party to do the like, and make all the ties of Religion and Conscience (that to Considering Christians are Obligations to Piety and Charity) as Engagements either to act your Villanies, or to conceal them. We think no power can dispence with us whom you call Hereticks, to falsifie our Oaths, much less to break our Covenant with God in the holy Sacrament. But you, instead of making that a Tye and Obligation to engage you to the Remembrance of our Saviour, make it a snare and a gin to oblige your Proselites to the Assassinating of Kings, and murdering their Subjects. I am sorry with all my Soul, that men who have had their Education here, and the benefit of the good Examples of others, should not only be led into such mischievous principles themselves, but to be of that confidence in their perswasion, as to dare to debauch others also. I am sorry also to hear a Lay man should with so much malice declare, That a Bullet, if round and smooth, was not safe enough for him to execute his Villanies by. But he must be sure, not only to set his poisonous invention on work about it, but he must add thereto his poisonous Teeth; for fear if the Bullet were smooth, it might light in some part where

the wound might be cured. But such is the height of some mens malice, that they will put all the Venome and Malice they can into their actions. I am sure this was so horrid a design, that nothing but a Conclave of Devils in Hell, or a Colledge of such Jesuits as yours on Earth, could have thought upon.

This I remember to you for the sake of them that are to live, and for the Charity I have for you who are to die: for the sake of them that are to live; for I hope when they hear, that men of your Perswasion dare commit those outragious Crimes, and justifie them by a principle of Religion, they will not easily be seduced into your Opinion: And out of Charity to you that are to die, to perswade you to hearty Repentance; for, otherwise, I must tell you, thy 1500 *l.* (speaking to *Grove*) nor thy 30000 Masses (speaking to *Pickering*) will avail but little. And I thought fit to say this also, that it may be known that you have had the full benefit of the Laws Established in *England*, and those the Best of Laws; for such is not the Law of other Nations, for if any Protestant in any place where the *Romish* Religion is profest, had been but thought guilty of such Crimes, he had never come to the Formality and Justice of an Arraignment, and to be tried by his Peers, permitted to make his Defence, and hear what could be said against him; but he had been hang'd immediately, or perhaps suffer'd a worse death. But you are not only beholding to the happy Constitution of our Laws, but to the more happy Constitution of our Religion. For such are the admirable Documents of that Religion we in *England* profess, That we dare not requite Massacre for Massacre, Blood for Blood. We disown and abhor all Stabbing; and we are so far from reckoning that he shall be a Saint in Heaven for Assassinating a Prince, and be pray'd to in another world, that the Protestant is required to believe, that such that begin with Murther, must end with Damnation, if our blessed Lord and Saviour do not interpose; nothing that man can do, Papist or Protestant, can save any man in such a case. We dare not say that our Religion will permit us to Murder Dissenters, much less to Assassinate our King.

And having thus said, let me once more as a Christian, in the name of the great God of Heaven, beg of you for your own Souls sake, be not satisfied or over perswaded with any Doctrine that you have preached to others, or imbibed from others; but believe, that no one can contrive the death of the King, or the overthrow of the Government, but the great God of Heaven and Earth will have

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an account of it, And all Pardons, Absolutions, and the Dispensations that you who are Priests can give to your Lay Brother, or that any of your Superiours may give to you, will not serve the turn.

I know not, but as I said, you may think I speak this to insult, I take the great God of Heaven to witness, that I speak it with Charity to your Souls, and with great sorrow and grief in my own heart to see, men that might have made themselves happy, draw upon themselves so great a ruine. But since you have been so fairly heard, so fairly Try'd and Convicted, There is but little more to be said; for I must tell you, because it may not be thought that you had not free liberty to make your full defence, though that Gentleman (speaking to *Ireland*) seemed to be surpriz'd, he had a kind Sister that took care for to bring his Witnesses; I am so far from blaming her for it, that I do commend her, it was the effect of her good nature, and deserves Commendation; but I speak to this purpose, to shew that there was no surprise upon him, nor his life taken away by any such thing; for he had a greater favour shew'd to him than is usually shown to such Offenders.

And having thus said to you my self, we do also require him whose duty it is to attend in such cases, nay, I do Command him in the name of the Court, that he attend upon you to give you all the comfortable assistance that he can for the advantage of your future state: And not only so, but we will certainly take care, that if you will have any others come to you, they shall. I would not be mistaken, I do not mean any of your Priests and Jesuits; but if you will have the Assistance of any Protestant Divines, they shall not be deny'd you. And I hope God Almighty will please to give you pardon in another world, though you have offended beyond hopes of any in this. I once more assure you, all I have said is in perfect Charity. I pray God forgive you for what you have done. And so there remains now only for me to pronounce that Sentence which by the Law of the Land the Court is required to do against persons Convicted of that offence which you are Convicted of.

This Court doth therefore Award, *That you the Prisoners at the Bar, be conveyed from hence to the place from whence you came, and from thence that you be drawn to the place of Execution upon Hurdles, that there you be severally hanged by the Neck, that you be cut down alive, that your Privy Members be cut off, and your Bowels taken out, and burnt in your view, that your Heads be severed from your*

your Bodies, that your Bodies be divided into Quarters, and those Quarters be disposed at the Kings pleasure: And the God of infinite mercy be merciful to your Souls.

Then the Prisoners were conveyed back to the Goal by the Keeper of the Goal, according to Custom; and the Commission was called over, and the Prisoners taken Order for according to Law. And then the Court Adjourned by Proclamation, thus:

Cl. of Cr. Cryer, make Proclamation.

Cryer, *O yes, O yes, O yes, All manner of persons that have any thing more to do at this general Sessions of the Peace holden for the City of* London, *may depart hence for this time, and give their Attendance at the* Guildhall, London, *on* Friday *the* 10th. *day of* January *next, at* 7 *of the Clock in the morning. And all manner of persons at this Sessions of* Oyer *and* Terminer, *and* Goal-delivery *of* Newgate, *holden for the City of* London *and County of* Middlesex, *may depart hence for this time, and give their Attendance here again on* Wednesday *the* 15th. *day of* January, *at* 7 *of the Clock in the morning.*

God Save the King.

And then the Court broke up.

On Friday *the* 24th. *day of* January *following, the Prisoners,* William Ireland, *and* John Grove, *were drawn from* Newgate *on a Hurdle, to the Common place of Execution, where they were Executed, according to the Sentence pronounced against them.*

And Pickering 9th *of May following.*

FINIS.

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